

We need to understand the workforce needs of the country. We need to understand what to do about people who came or stayed illegally. But we also need to understand how to secure the border. And that is where, for any of these other things to work, you have to do that.

The COVID problem, as I said, appears to only be a problem at the CDC—well, actually, it appears to be a problem everywhere but the border. The CDC, just yesterday, had a new rule that even for domestic travel, people should now—their advice is have a test for domestic travel—before you get on an airplane to go domestically, to have that test.

The efforts that we were working on and working hard on to replenish the categories that have been spent for research, particularly for the therapeutics that we need to have a stock of that haven't been fully certified yet—so they have to be the Government is the purchaser of those—we were working on a \$10 billion bill. And even this morning again, the Secretary of Commerce, at our appropriations hearing, said: Well, that would just be a start. We need 10 or 20 or 30 billion more before the end of this fiscal year than we currently have, and it is an emergency—10, 20, 30 billion more than we have now.

But at the border, no problem at all. At the border, this is no problem. We need billions of dollars to deal with it internally. We need to not only have fewer tests, which everybody agrees, fewer standards for domestic travel; we now need a new standard, they say, for domestic travel. Surely they will think about that. And while we are negotiating, again, spending, this issue comes out simultaneously that the border is a problem.

And then, of course, everybody knows the economy is a problem. All you have got to do to find out the economy is a problem is go to the gas station or go to the grocery store, and most Americans do that and do it a lot. And when gas prices go up, when food prices go up, every family knows it.

What we are seeing now is inflation that I think it is 8.5 percent. It may be settling in at 8.5 percent. But wherever it settles in, it is a whole lot higher than it was at any time during the Obama administration. The highest month in the entire Obama administration of inflation—that is not a year average—the highest single month was 3.4 percent. Under President Trump, the highest single month was 2.9 percent. We are now at 8.5 percent, and the Producer Price Index has been in double digits since December. That is usually a sign that the other index is going to follow that double-digit, scary number that is out there.

So energy policies that produced exactly the result you would think they would: higher energy prices; spending policies: the American Rescue Plan. I thought, at the time, it was a final COVID bill, but when you looked at the

bill before we had a chance to vote on it and saw it, it really didn't have very much to do with COVID. Maybe 6 percent of the \$1.9 trillion went to COVID. The rest of it went to things that put money in people's pockets to help them recover in an economy that was already recovering.

You can't spend \$1.9 trillion in a short period of time, even in the biggest and most vibrant economy in the world, and not drive up prices. So whether it is inflation, whether it is the economic stress—I talked to a group of Missouri realtors today, and, of course, they are beginning to see people wonder if they can afford a house at the interest rates that are out in front of us. It makes a big difference if the interest payment is based on 3.5 percent interest or 5.5 or 6.5 or 7.5 or, as it was in the mid 1980s, 11 to 15 percent interest.

These are issues we need to get under control. Most of these issues have an explanation that is rooted in confused policy decisions in the administration.

I look forward to those confused policy decisions heading in a different direction. Let's look at the information. Let's be realistic. Let's not continue to see all of these things headed in a direction that makes no common sense in America today.

I yield the floor.

LEGISLATIVE SESSION

AMERICA CREATING OPPORTUNITIES FOR MANUFACTURING, PRE-EMINENCE IN TECHNOLOGY, AND ECONOMIC STRENGTH ACT OF 2022

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session and resume consideration of the House message to accompany H.R. 4521, which the clerk will report.

The senior assistant legislative clerk read as follows:

House message to accompany H.R. 4521, a bill to provide for a coordinated Federal research initiative to ensure continued United States leadership in engineering biology.

The PRESIDING OFFICER. The Senator from Kentucky.

MOTION TO INSTRUCT

Mr. PAUL. Madam President, I call up my motion to instruct conferees, which is at the desk.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. PAUL] moves that the managers on the part of the Senate at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 4521 be instructed to insist that the final conference report include the provisions contained in section 6107 of the Senate amendment (relating to prohibiting funds made available to any Federal agency from being used for gain-of-function research conducted in China).

The PRESIDING OFFICER. Under the previous order, there will now be 2

minutes of debate equally divided prior to a vote on the Paul motion to instruct.

Mr. PAUL. Last year, the Senate unanimously adopted my amendment to prevent taxpayer dollars from being used to finance gain-of-function research conducted in China. My motion to instruct asks that this language be incorporated into the final bill.

Gain-of-function research enhances the severity or transmissibility of existing viruses that may infect humans. The dangers are so acute that from 2014 to 2017, the NIH suspended funding for all gain-of-function research projects.

While we may never know whether the pandemic arose from a lab in Wuhan or occurred naturally, the emergence of COVID serves as a reminder that dangerous research conducted in a secret and totalitarian country is simply too risky to fund. Congress must ensure that taxpayer dollars will not be used to fund gain-of-function research in China.

I urge a "yes" vote.

Mr. KAINÉ. I yield back all time on the Democrats' side.

VOTE ON MOTION

The PRESIDING OFFICER. All time is yielded back.

The question is on agreeing to the motion.

The motion was agreed to.

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

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

MOTION TO INSTRUCT

Mr. BARRASSO. Madam President, please call up my motion to instruct conferees, which is at the desk.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

The Senator from Wyoming [Mr. BARRASSO] moves that the managers on the part of the Senate at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 4521 be instructed to insist that the final conference report include provisions that require immediate development of a 2022–2027 Federal oil and gas leasing program on the outer Continental Shelf, which shall be finalized not later than June 30, 2022, and which shall provide for a minimum of 10 regionwide oil and gas lease sales in the Gulf of Mexico and Alaska Regions of the outer Continental Shelf, with a minimum of 2 oil and gas lease sales per calendar year, not fewer than 1 of which shall be in the Gulf of Mexico Region each calendar year.

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote on the Barrasso motion to instruct.

Mr. BARRASSO. Madam President, I rise in support of the motion to instruct conferees to require the Department of Interior to finalize a 5-year offshore oil and gas leasing plan no later than June 30, 2022. It would require at least 10 sales in the Gulf of Mexico and Alaska. In consultation with both Senators RUBIO and SCOTT, it does not impact any moratoriums, including Florida's.

The Biden administration has failed to develop a 5-year plan. Gina McCarthy has told us why. Last week, she said President Biden is absolutely committed, she said, to blocking additional drilling. Jen Psaki confirmed it at the White House.

Instead of begging for oil from our enemies, like Iran and Venezuela, we should produce more American energy.

I urge my colleagues to join me in supporting this amendment.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. MARKEY. Madam President, I rise to urge my colleagues to vote no on this motion to instruct from Senator BARRASSO.

If we want to talk solutions to the energy price crisis, if we want to talk solutions to the climate crisis, we have bills to do that.

Our Federal oil and gas leasing programs include critical State and public involvement that this amendment is attempting to undercut and sabotage and to try to weaponize this bill in order to have the hope of prompting yet another giveaway for oil and gas companies, which is not going to do a thing to help the American people or the American economy.

Oil and gas companies already have more than 1,500 offshore leases that they are not currently using, encompassing a swath of ocean larger than the entire State of Maryland. The top 25 oil and gas companies posted \$237 billion in record profits last year, which they should be using, if they want, to drill there, but they are not doing it.

So we need to focus on delivering clean energy, efficient solutions to communities, not undercutting Federal processes and giving more handouts to Big Oil.

I urge my colleagues to reject this amendment.

VOTE ON MOTION

The PRESIDING OFFICER. The question is on agreeing to the motion to instruct conferees.

Mr. BARRASSO. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays are ordered.

The clerk will call the roll.

The senior assistant executive clerk called the roll.

Mr. DURBIN. I announce that the Senator from Colorado (Mr. BENNET) and the Senator from Minnesota (Ms. KLOBUCHAR) are necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Alabama (Mr. SHELBY).

The PRESIDING OFFICER (Ms. BALDWIN). Are there any other Senators in the Chamber desiring to vote or change their vote?

The result was announced—yeas 53, nays 44, as follows:

[Rollcall Vote No. 148 Leg.]

YEAS—53

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

NAYS—44

| | | |
|--------------|----------|------------|
| Baldwin | Heinrich | Rosen |
| Blumenthal | Hirono | Sanders |
| Booker | Kaine | Schatz |
| Brown | King | Schumer |
| Cantwell | Leahy | Shaheen |
| Cardin | Lujan | Smith |
| Carper | Markey | Stabenow |
| Casey | Menendez | Tester |
| Coons | Merkley | Van Hollen |
| Cortez Masto | Murphy | Warner |
| Duckworth | Murray | Warnock |
| Durbin | Ossoff | Warren |
| Feinstein | Padilla | Whitehouse |
| Gillibrand | Peters | Wyden |
| Hassan | Reed | |

NOT VOTING—3

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| Bennet | Klobuchar | Shelby |
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The motion was agreed to.

The PRESIDING OFFICER. The junior Senator from Texas.

MOTION TO INSTRUCT

Mr. CRUZ. Madam President, I call up my motion to instruct conferees, which is at the desk.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

The Senator from Texas [Mr. CRUZ] moves that the managers on the part of the Senate at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 4521 be instructed to insist that the final conference report include section 3258 of the Senate amendment, which requires a report identifying "major areas of diplomatic, energy, infrastructure, banking, financial, economic, military, and space cooperation . . . between the People's Republic of China and the Islamic Republic of Iran", regarding the policy of the United States to limit such cooperation through terrorism-related sanctions imposed on the Central Bank of Iran and the Islamic Revolutionary Guard Corps, as such sanctions are necessary to limit such cooperation.

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate, equally divided, prior to a vote on the Cruz motion to instruct.

Mr. CRUZ. Madam President, China and Iran are two of the most dangerous enemies of the United States. China is our most significant geopolitical foe for the next 100 years. Iran is the

world's leading state sponsor of terrorism.

The Biden administration, unfortunately, has been dealing with both from a position of weakness. Specifically, the Biden administration has refused to enforce oil sanctions against Iran, allowing Iran to sell more than a million barrels a day of oil primarily to China.

At the same time, the Biden administration is negotiating to lift terrorism sanctions on the Islamic Revolutionary Guard Corps and the Central Bank of Iran. The IRGC is responsible for murdering over 600 service men and women. The IRGC, right now, is actively trying to murder the former Secretary of State of the United States and the former National Security Advisor.

If you support terrorism sanctions on the IRGC, you should vote yes, and if you want to lift those sanctions, you should vote no.

The PRESIDING OFFICER. The junior Senator from Connecticut.

Mr. MURPHY. Madam President, the provision in the underlying bill that Senator CRUZ's motion argues for is a good one in that we should care about cooperation between China and Iran, but I would encourage my colleagues to oppose this MTI because of another extraneous provision in the motion.

The motion argues that the United States should tie our Iran terrorism sanctions to our China policy, and that, frankly, is a bad idea. Terrorism-related sanctions are about punishing and deterring support for terrorism. If we want to use sanctions to deter cooperation between Iran and China, then we should craft those tailored sanctions; but to tie our Iran terrorism sanctions to our China policy would have the effect, really, of muddying the waters about the purpose of terrorism sanctions. Terrorism sanctions should be about stopping terrorism—period, stop. If we start applying terrorism sanctions for other purposes, it weakens our entire anti-terror strategy.

For that reason, I would urge opposition to the motion.

VOTE ON MOTION

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

Mr. CRUZ. Madam President, 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 legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Colorado (Mr. BENNET) is necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Alabama (Mr. SHELBY).

The result was announced—yeas 86, nays 12, as follows:

[Rollcall Vote No. 149 Leg.]

YEAS—86

| | | |
|----------|------------|--------|
| Baldwin | Blackburn | Blunt |
| Barrasso | Blumenthal | Booker |

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|--------------|--------------|------------|
| Boozman | Hawley | Risch |
| Braun | Heinrich | Romney |
| Burr | Hickenlooper | Rosen |
| Cantwell | Hoeben | Rounds |
| Capito | Hyde-Smith | Rubio |
| Cardin | Inhofe | Sasse |
| Casey | Johnson | Schumer |
| Cassidy | Kaine | Scott (FL) |
| Collins | Kelly | Scott (SC) |
| Coons | Kennedy | Shaheen |
| Cornyn | King | Sinema |
| Cortez Masto | Klobuchar | Sinema |
| Cotton | Lankford | Smith |
| Cramer | Leahy | Stabenow |
| Crapo | Lee | Sullivan |
| Cruz | Lujan | Tester |
| Daines | Lummis | Thune |
| Duckworth | Manchin | Tillis |
| Durbin | Marshall | Toomey |
| Ernst | McConnell | Tuberville |
| Feinstein | Menendez | Van Hollen |
| Fischer | Moran | Warner |
| Gillibrand | Murkowski | Warnock |
| Graham | Murray | Whitehouse |
| Grassley | Ossoff | Wicker |
| Hagerty | Peters | Wyden |
| Hassan | Portman | Young |

NAYS—12

| | | |
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| Brown | Merkley | Reed |
| Carper | Murphy | Sanders |
| Hirono | Padilla | Schatz |
| Markey | Paul | Warren |

NOT VOTING—2

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|--------|--------|
| Bennet | Shelby |
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The motion was agreed to.

The PRESIDING OFFICER (Mr. HICKENLOOPER). The Senator from New Jersey.

MOTION TO INSTRUCT

Mr. MENENDEZ. Mr. President, I call up my motion to instruct, which is at the desk.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

The Senator from New Jersey [Mr. MENENDEZ] moves that the managers on the part of the Senate at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 4521 be instructed to insist upon the provisions contained in section 73003 of the Senate amendment (relating to establishment of an Inspector General of the Office of the United States Trade Representative).

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to the vote on the Menendez motion to instruct.

The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, this motion would establish an inspector general at the Office of the U.S. Trade Representative.

As we have seen over the past several years, inspectors general are a key way that Congress conducts oversight over our Federal Government. Through these independent watchdogs, we prevent waste, fraud, and abuse, increasing transparency while ensuring Federal Agencies remain accountable to the American people. It is a model that most of the Federal bureaucracy has adopted because it works.

When it comes to the Office of the U.S. Trade Representative, it remains an outlier—one of the only Cabinet-level Agencies without this key oversight tool. An Agency led by a Senate-confirmed appointee, tasked with carrying out decisions affecting every worker, business, and consumer in this

country, is currently operating without one of the most effective guardrails we have against overreach. Just a few years ago, Congress saw how two negotiators for USMCA were using their positions to solicit consulting work on the regulations they had written. We saw how the Agency's opaque tariff exclusion process was beset by inconsistent decision making and political favoritism.

This is an amendment that has been sponsored by over 53 Senators, Republicans and Democrats alike. It passed in USICA originally with a 91-to-4 vote. I urge my colleagues to support it. I am happy to take a voice vote.

VOTE ON MOTION

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The Senator from Idaho.

MOTION TO INSTRUCT

Mr. RISCH. Mr. President, I call up my motion to instruct conferees, which is at the desk.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

The Senator from Idaho [Mr. RISCH] moves that the managers on the part of the Senate at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 4521 be instructed to insist that the final conference report include provisions that take actionable steps to address the risks of and counter malign or undue influence and activities in the United States and abroad by the Chinese Communist Party, the Government of the People's Republic of China, or individuals or entities acting on their behalf.

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote on the Risch motion to instruct.

The Senator from Idaho.

Mr. RISCH. Mr. President, I didn't stop the reading because it is pretty self-explanatory what this is.

There was language in S. 1260 when it left here and went over to the House, under division C, that would have strengthened the ability of the United States to counter Chinese influence abroad. Specifically, the influence we are talking about here in one particular case especially is what is going on in colleges and universities around the country.

What this does is put some very clear windows into what the Chinese Communist Party is doing on college campuses, particularly as it relates to grants and money that they are putting into the colleges and universities. We are asking and directing the negotiators to see that there is such language in the final bill that comes out.

The PRESIDING OFFICER. Is there further debate on the motion?

Mr. RISCH. Mr. President, I will accept a voice vote.

VOTE ON MOTION

The PRESIDING OFFICER. Hearing no further debate, the question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The Senator from Arizona.

MOTION TO INSTRUCT

Mr. KELLY. Mr. President, I call up my motion to instruct, which is at the desk.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

The Senator from Arizona [Mr. KELLY] moves that the managers on the part of the Senate at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 4521 be instructed to insist that the final conference report include incentives to support investments in semiconductor manufacturing and innovation in the United States, including investments in the fabrication, assembly, testing, advanced packaging, and research and development of semiconductors.

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to the vote on the Kelly motion to instruct.

Mr. KELLY. Mr. President, microchips are in everything from household vacuums to the most advanced fighter jets. A resilient domestic microchip supply chain is important to our national security and to our economy, but we have two problems. We are facing a shortage of microchips, and we do not have the capacity to produce enough of them here in the United States. That is why we have worked together, Republicans and Democrats, to pass a plan in the Senate competitiveness bill that will boost American microchip manufacturing capacity, create thousands of jobs, and help lower costs for families.

I ask my colleagues to support this motion to show the continued bipartisan momentum behind our plan so we can get this across the finish line.

I am OK with a voice vote.

VOTE ON MOTION

The PRESIDING OFFICER. Hearing no further debate on the motion, the question is on agreeing to the motion to instruct.

The motion was agreed to.

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

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

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

MOTION TO INSTRUCT

Mr. LEE. Mr. President, I call up my motion to instruct conferees, which is at the desk.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

The Senator from Utah [Mr. LEE] moves that the managers on the part of the Senate at the conference on the disagreeing votes of the two Houses on the Senate amendment to

the bill H.R. 4521 be instructed to insist that the final conference report not include the provisions contained in the following sections of the bill (as passed by the House of Representatives):

(1) Section 30609 (relating to building United States economic growth and technological innovation through the Green Climate Fund).

(2) Section 30607 (relating to addressing international climate change mitigation, adaptation, and security).

(3) Section 30601(b)(7)(E) (relating to the sense of Congress on implementing the Paris Agreement).

(4) Section 30610 (relating to ensuring a whole-of-government response to climate action).

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote on the Lee motion to instruct.

Mr. LEE. Mr. President, Americans are facing an affordability crisis. In my home State of Utah, the average household is having to pay an additional \$702 every month just for basic living expenses relative to what they paid every month at the beginning of last year.

Inflation is unsustainable. Energy is one primary driver of inflation, and this administration's senseless energy policies are largely to blame. The House's version of this bill contains more of these damaging policies that will hurt Americans, and hurt Utahns in particular, while they can least afford it.

My motion instructs conferees not to include the House provisions, including one sending \$2 billion per year indefinitely to developing countries to support their supply of zero emissions vehicles; another provision that would send \$8 billion to the U.N.'s green climate fund, which has historically given money to China; as well as another provision expressing the sense of Congress that the United States should implement the Paris Agreement, which is estimated to lead to a 20 percent increase in the costs for the average American family's electric bill and shrink our national GDP by \$2.5 trillion.

Americans can't afford these energy policies. My motion will make sure that they don't have to pay for them.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, if we want friends overseas and if we want a robust world economy, it is important that America plays fair with the rest of the world on climate. Participating in the international climate fund, participating in the Paris accord and the COP agreements, and having a robust national strategy on climate change are all distinctly in our national security and economic interests.

I urge voting no on the Lee motion to instruct, and I further urge that if we want to protect the American consumer, get the heck off of fossil fuel before it drives us into ruin with high prices set by international cartels and massive pollution.

VOTE ON MOTION

Mr. LEE. I call for the yeas and nays.

The PRESIDING OFFICER. The question is on agreeing to the motion. 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 Colorado (Mr. BENNET) is necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Missouri (Mr. HAWLEY) and the Senator from Alabama (Mr. SHELBY).

Further, if present and voting, the Senator from Missouri (Mr. HAWLEY) would have voted "yea."

The result was announced—yeas 48, nays 49, as follows:

[Rollcall Vote No. 150 Leg.]

YEAS—48

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

NAYS—49

| | | |
|--------------|--------------|------------|
| Baldwin | Hickenlooper | Rosen |
| Blumenthal | Hirono | Sanders |
| Booker | Kaine | Schatz |
| Brown | Kelly | Schumer |
| Cantwell | King | Shaheen |
| Cardin | Klobuchar | Sinema |
| Carper | Leahy | Smith |
| Casey | Lujan | Stabenow |
| Collins | Markey | Tester |
| Coons | Menendez | Van Hollen |
| Cortez Masto | Merkley | Warner |
| Duckworth | Murphy | Warnock |
| Durbin | Murray | Warren |
| Feinstein | Ossoff | Whitehouse |
| Gillibrand | Padilla | Wyden |
| Hassan | Peters | |
| Heinrich | Reed | |

NOT VOTING—3

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| Bennet | Hawley | Shelby |
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The motion was rejected.

The PRESIDING OFFICER (Ms. SMITH). The Senator from Tennessee.

MOTION TO INSTRUCT

Mrs. BLACKBURN. Madam President, I call up my motion to instruct conferees which is at the desk.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

The Senator from Tennessee [Mrs. BLACKBURN] moves that the managers on the part of the Senate at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 4521 be instructed to insist that the final conference report include a provision that requires the Director of the Office of Management and Budget, in consultation with the Administrator of General Services, the Director of the National Institute of Standards and Technology, the Director of the Cybersecurity and Infrastructure Security Agency, the Director of National Intelligence, the Secretary of Defense, the Secretary of State, the Secretary of the Treasury, and the Chairman

of the Board of Governors of the Federal Reserve System, and consistent with information security requirements designed to address any national security risks, to develop guidance for executive agencies requiring adequate security measures for any transfer, storage, or use of digital yuan on information technology.

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate, equally divided, prior to the vote on the Blackburn motion to instruct.

Mrs. BLACKBURN. Madam President, if we continue to ignore the threat posed by the digital yuan, Beijing will use this technology to increase its surveillance capacity, avoid U.S. sanctions, and threaten the dominance of the U.S. dollar in the global trade.

This is the reason for this motion. This motion would require the managers to include a simple provision that will require OMB to work with our executive Agencies to put some much needed security measures in place.

We cannot afford to look the other way while the CCP increases its own global power at the expense of the free world and is looking for opportunities to use the digital yuan to increase surveillance.

I urge a "yes" vote on the motion.

VOTE ON MOTION

The PRESIDING OFFICER. Is there further debate on the motion?

If not, the question is on agreeing to the motion.

The motion was agreed to.

MOTION TO INSTRUCT

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. COTTON. Madam President, I call up my motion to instruct conferees, which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Arkansas [Mr. COTTON] moves that the managers on the part of the Senate at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 4521 be instructed to insist upon rejecting the authorization of appropriations for contributions to the Green Climate Fund under section 30609(b) of the text of the bill as engrossed by the House of Representatives and insisting upon including an authorization of appropriations of \$8,000,000,000 within section 2118 of division A of the Senate amendment (relating to funding for the Defense Advanced Research Projects Agency) for Department of Defense research, development, production, and procurement of weapon systems needed to compete with China.

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate, equally divided, prior to the vote on the Cotton motion to instruct.

The Senator from Arkansas.

Mr. COTTON. Madam President, the United States is in a new cold war with China, but Joe Biden doesn't seem to be up to the fight. China's military is growing while ours is shrinking. The President's Defense budget can't even

keep up with the Democrats' own rate of inflation. The President even denies that China is waging a cold war against us.

And while we are shortchanging our own military against a dangerous communist adversary, the Government wants to send \$8 billion of your money to a U.N. boondoggle called the Green Climate Fund.

If anyone should be paying for a Green Climate Fund, it should be the Chinese communists, the world's worst polluters—not American taxpayers.

My proposal is simple. Instead of giving that \$8 billion to the United Nations to waste on climate schemes and corruption, we should send it to our troops and help rebuild our military.

The U.N. or the U.S. military? It is an easy choice. I urge my colleagues to support the motion.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Madam President, this is the second shot that has been taken this afternoon at the international climate fund by our friends on the other side.

America is a great and powerful nation, and it is usually good for great and powerful nations not to be a jerk, and therefore sticking up for the countries that are suffering because of climate pollution is something that a great and powerful nation ought to do.

Don't be a jerk and clean up your own messes are two things that I learned as a child. And I think that our national security and our economic advantage are both served by actually supporting the international climate fund and helping the world work its way through the predicament that the fossil fuel industry has foisted on us. I urge a "no" vote on this.

VOTE ON MOTION

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

Mr. WHITEHOUSE. 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 bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Colorado (Mr. BENNET), the Senator from Nevada (Ms. CORTEZ MASTO), the Senator from New Mexico (Mr. LUJÁN), the Senator from New Jersey (Mr. MENENDEZ), and the Senator from California (Mr. PADILLA) are necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Alabama (Mr. SHELBY).

The result was announced—yeas 50, nays 44, as follows:

[Rollcall Vote No. 151 Leg.]

YEAS—50

| | | |
|-----------|---------|---------|
| Barrasso | Capito | Crapo |
| Blackburn | Cassidy | Cruz |
| Blunt | Collins | Daines |
| Boozman | Cornyn | Ernst |
| Braun | Cotton | Fischer |
| Burr | Cramer | Graham |

| | | |
|------------|-----------|------------|
| Grassley | Manchin | Sasse |
| Hagerty | Marshall | Scott (FL) |
| Hawley | McConnell | Scott (SC) |
| Hoeben | Moran | Sullivan |
| Hyde-Smith | Murkowski | Thune |
| Inhofe | Paul | Tillis |
| Johnson | Portman | Toomey |
| Kennedy | Risch | Tuberville |
| Lankford | Romney | Wicker |
| Lee | Rounds | Young |
| Lummis | Rubio | |

NAYS—44

| | | |
|------------|--------------|------------|
| Baldwin | Hickenlooper | Sanders |
| Blumenthal | Hirono | Schatz |
| Booker | Kaine | Schumer |
| Brown | Kelly | Shaheen |
| Cantwell | King | Sinema |
| Cardin | Klobuchar | Smith |
| Carper | Leahy | Stabenow |
| Casey | Markey | Tester |
| Coons | Merkley | Van Hollen |
| Duckworth | Murphy | Warner |
| Durbin | Murray | Warnock |
| Feinstein | Ossoff | Warren |
| Gillibrand | Peters | Whitehouse |
| Hassan | Reed | Wyden |
| Heinrich | Rosen | |

NOT VOTING—6

| | | |
|--------------|----------|---------|
| Bennet | Luján | Padilla |
| Cortez Masto | Menendez | Shelby |

The motion was agreed to.

The PRESIDING OFFICER. The Senator from Alaska.

MOTION TO INSTRUCT

Ms. MURKOWSKI. Madam President, I call up my motion to instruct conferees, which is at the desk.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

The Senator from Alaska [Ms. MURKOWSKI] moves that the managers on the part of the Senate at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 4521 be instructed to insist that the final conference report include the text of S. 140, 117th Congress, as reported to the Senate on December 17, 2021.

The PRESIDING OFFICER. Under the previous order, there will be now 2 minutes of debate equally divided prior to a vote on the Murkowski motion to instruct.

Ms. MURKOWSKI. Madam President, the Senator from Rhode Island and I have offered a motion related to our bipartisan BLUE GLOBE Act. This is legislation that focuses on our oceans. They are a key source of food for us. They produce most of the oxygen we need to breathe. They help us maintain our global climate. But we largely ignore them, unfortunately.

We haven't done nearly enough to address overfishing, pollution, and acidification. According to NOAA, we have actually mapped more of the moon than we have our oceans. So BLUE GLOBE will help change that by improving data collection, accelerating ocean-focused innovation, and taking other important steps. It will help strengthen our economy, protect against China's illegal fishing, and bolster our national security along the coasts.

It received unanimous consent support from the Commerce Committee. It is a perfect fit for a bill on competitiveness, so I would urge the Senate to support this motion to instruct con-

ferrees to include BLUE GLOBE in the final bill.

VOTE ON MOTION

The PRESIDING OFFICER. Is there further debate?

Hearing none, the question is on agreeing to the motion to instruct.

The motion was agreed to.

Ms. MURKOWSKI. Thank you, Madam President.

The PRESIDING OFFICER. The Senator from North Carolina.

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

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SULLIVAN. I ask unanimous consent that the order for the quorum call be rescinded.

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

MOTION TO INSTRUCT

Mr. SULLIVAN. Madam President, I call up my motion to instruct conferees, which is at the desk.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

The Senator from Alaska [Mr. SULLIVAN] moves that the managers on the part of the Senate at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 4521 be instructed to insist that the final conference report include provisions that prohibit a renewable energy project receiving Federal financial assistance, a subsidy, or any other financing mechanism authorized under the final conference report, such as a grant or tax credit, from purchasing materials, technology, or critical minerals mined, produced, processed, or refined in the People's Republic of China or the Russian Federation.

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote on the Sullivan motion to instruct.

Mr. SULLIVAN. Madam President, as recently as the early 1980s, our Nation produced the vast majority of the critical minerals and renewable energy technology we use in America but not anymore. Unfortunately, Russia and particularly China have a stranglehold on most of these critical minerals and clean energy technology that our Nation needs.

To make matters worse, Madam President, some of these critical minerals and materials we are importing, like solar panels and EV batteries, are processed and manufactured in China using forced labor in some of the worst environmental standards in the world.

Madam President, may I have 30 seconds to complete my statement?

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

Mr. SULLIVAN. We can change this, Madam President. We must change this.

My motion to instruct is simple. Any renewable energy project receiving Federal funds cannot use materials, technologies, or critical minerals from

China or Russia—simple, common-sense, humane, and in the interest of America's workers and our national defense.

I urge my colleagues to vote yes.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Madam President, this Congress and the Clean Energy for America legislation, which passed the Senate Finance Committee, is the best opportunity in the past decade for bold action that deals not just with the threat of climate change but gives us a chance to get those big investments here in the United States with domestic manufacturing and good jobs—an economic win-win.

Our country should be doing everything possible to invest in a technology-neutral, private-sector-driven approach to promote a clean energy future, including investing in renewable energy projects, including the manufacturing of solar, wind, and other technologies here at home.

Further, I would note that our country has a clear prohibition on products made with forced labor that is restricting and will continue to restrict renewable energy products produced with forced labor in China from entering the United States.

My friend, whom I always like working with, introduces a new, vague restriction that would unfortunately tie our hands, limit our businesses' ability to source necessary materials for their products with vague and overly broad restrictions.

I urge my colleagues to oppose the motion.

VOTE ON MOTION

The PRESIDING OFFICER. Is there further debate?

If not, the question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The Senator from Florida.

MOTION TO INSTRUCT

Mr. RUBIO. Madam President, I call up my motion to instruct conferees, which is at the desk.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

The Senator from Florida [Mr. RUBIO] moves that the managers on the part of the Senate at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 4521 be instructed to insist that the final conference report include a Federal Government-based counterintelligence review to certify recipients of grants, funding, awards, or other resources provided, and intellectual property developed, as a result of the conference report, have national security protections in place to prohibit misappropriation and theft of Federal resources.

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote on the Rubio motion to instruct.

The Senator from Florida.

Mr. RUBIO. Madam President, this will not take long.

I don't think anybody at this point is unaware that China steals the things that we in America innovate: our research, our ingenuity, our products, our secrets. They steal it. So we are about to spend tens of billions of dollars on research, and if we are going to do that, I think we should take steps to make sure that the tens of billions aren't also stolen.

It doesn't make a lot of sense—and most people would agree—to spend all of this public money on research without enough protections to keep the Chinese from stealing it. So what this motion to instruct would do is it would ensure that the government undertakes a counterintelligence review to certify that the entities that are getting this public money—either through direct funding or through intellectual property developed as a result—have national security protections against the theft of American research and resources.

What this would ensure is that there are protections in place to strengthen the bill's research funding accounting requirements in section 2307 and to ensure review of the funding for university technology centers.

If this bill is to truly be the America COMPETES Act, we need to make sure that America's funding and grants and other taxpayer resources are not going to be stolen by our adversaries to beat us using our own money.

I ask my colleagues to vote yes on the motion to instruct.

VOTE ON MOTION

The PRESIDING OFFICER. Is there further debate?

If not, the question is on agreeing to the motion.

The motion was agreed to.

The Senator from Michigan.

Ms. STABENOW. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

MOTION TO INSTRUCT

Mr. JOHNSON. Madam President, I call up my motion to instruct conferees, which is at the desk.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

The Senator from Wisconsin [Mr. JOHNSON] moves that the managers on the part of the Senate at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 4521 be instructed to reject any proposals to prohibit the possession, acquirement, receipt, transportation, sale, or purchase of mink raised in captivity in the United States for fur production.

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior

to a vote on the Johnson motion to instruct.

The Senator from Wisconsin.

Mr. JOHNSON. Madam President, this is truly one of the more inappropriate additions that the House made to this bill: to ban the production of farming of mink for the production of fur. I have no idea why they have included it here. It makes no sense to be included. Actually, in Wisconsin, it supports hundreds of jobs and produces exports to China.

So my motion simply instructs the conferees to reject any proposal that would ban mink farming.

I want to thank Senators ROMNEY, DAINES, and BOOZMAN for their support of this amendment, and I urge my colleagues to support American farmers by voting in favor of this motion to instruct.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. BOOKER. Madam President, the instruction by my colleague from Wisconsin directs conferees to reject bipartisan House language that addresses a serious public health concern related to mink farming.

Mink farms in Europe and the United States have spawned five COVID-19 variants that have collectively infected thousands of people. The next mink variant could infect millions of people. Vaccinations do not prevent infection or transmission in mink, and the risk of virus mutation on mink farms remains significant.

Today, there are only 60 mink farms left in the United States, and they sell their furs to buyers in China, not here. Americans have stopped buying fur because keeping these semiaquatic wild animals in cages and breaking their necks to kill them for fur is inhumane.

More than a dozen European countries have already phased out mink farming because of the serious pandemic risks they present. The United States should immediately follow suit.

I urge my colleagues, for the health of our country, to join me in voting no on this motion to instruct.

VOTE ON MOTION

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Colorado (Mr. BENNET), the Senator from Nevada (Ms. CORTEZ MASTO), the Senator from New Mexico (Mr. HEINRICH), the Senator from New Mexico (Mr. LUJÁN), the Senator from New Jersey (Mr. MENENDEZ), and the Senator from California (Mr. PADILLA) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Missouri (Mr. BLUNT) and the Senator from Alabama (Mr. SHELBY).

The result was announced—yeas 59, nays 33, as follows:

[Rollcall Vote No. 152 Leg.]

YEAS—59

| | | |
|-----------|------------|------------|
| Baldwin | Hagerty | Portman |
| Barrasso | Hawley | Risch |
| Blackburn | Hoeben | Romney |
| Boozman | Hyde-Smith | Rounds |
| Braun | Inhofe | Rubio |
| Burr | Johnson | Sasse |
| Capito | Kelly | Scott (FL) |
| Casey | Kennedy | Scott (SC) |
| Cassidy | King | Sinema |
| Collins | Klobuchar | Smith |
| Cornyn | Lankford | Stabenow |
| Cotton | Lee | Sullivan |
| Cramer | Lummis | Tester |
| Crapo | Manchin | Thune |
| Cruz | Marshall | Tillis |
| Daines | McConnell | Toomey |
| Ernst | Moran | Tuberville |
| Fischer | Murkowski | Wicker |
| Graham | Ossoff | Young |
| Grassley | Paul | |

NAYS—33

| | | |
|------------|--------------|------------|
| Blumenthal | Hassan | Rosen |
| Booker | Hickenlooper | Sanders |
| Brown | Hirono | Schatz |
| Cantwell | Kaine | Schumer |
| Cardin | Leahy | Shaheen |
| Carper | Markey | Van Hollen |
| Coons | Merkley | Warner |
| Duckworth | Murphy | Warnock |
| Durbin | Murray | Warren |
| Feinstein | Peters | Whitehouse |
| Gillibrand | Reed | Wyden |

NOT VOTING—8

| | | |
|--------------|----------|---------|
| Bennet | Heinrich | Padilla |
| Blunt | Lujan | Shelby |
| Cortez Masto | Menendez | |

The motion was agreed to.

The PRESIDING OFFICER (Mr. OSSOFF). The Senator from Vermont.

MOTION TO INSTRUCT

Mr. SANDERS. I call up my motion to instruct, which is at the desk.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

The Senator from Vermont [Mr. SANDERS] moves that the managers on the part of the Senate at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 4521 be instructed to insist that the final conference report include provisions that require each beneficiary of Federal financial assistance for semiconductor manufacturing to be banned from purchasing the stock of the beneficiary, from outsourcing employment opportunities of the beneficiary to any country outside of the United States, and from repealing any collective bargaining requirements of the beneficiary, and that require each such beneficiary to issue warrants and equity stakes in the enterprise of the beneficiary to the Federal Government and to remain neutral in any union organizing effort of the employees of the beneficiary.

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate, equally divided, prior to a vote on the Sanders motion to instruct.

Mr. SANDERS. Mr. President, no one disagrees that we need to manufacture more microchips here in the United States, but we should not be providing a \$53 billion blank check to the highly profitable microchip industry with no protections for the American taxpayer.

The five companies that will likely receive the lion's share of this funding: Intel, Texas Instruments, Samsung, Micron Technology, and Global Found-

ries made over \$75 billion in profits last year and spent over \$18 billion on stock buybacks.

We have strange priorities here in the Senate. We can't extend the child tax credit to combat child poverty. We can't deal with the crisis in childcare. We can't provide dental care to seniors on Medicare. We can't deal with climate change. But somehow we can provide a massive amount of corporate welfare to a handful of corporations.

The motion I am offering today would instruct the conferees to impose the following conditions on companies receiving this assistance: They must agree to issue warrants or equity stakes to the Federal Government.

If private corporations are going to benefit from \$53 billion in taxpayer welfare, the financial gains must be shared with the American people—not just wealthy stockholders. Further, these companies must agree to not buy back their own stock, not outsource American jobs, not repeal existing collective bargaining agreements, and remain neutral in union organizing efforts.

What we are talking about here is not a radical idea. These exact conditions, word for word, were included in the bipartisan CARES Act, which passed the Senate 96 to 0.

The PRESIDING OFFICER. The Senator's time is expired.

The Senator from Ohio.

Mr. BROWN. Mr. President, I rise in opposition to Senator SANDERS' motion to instruct.

When America invented the semiconductor 40 years ago, we produced nearly half of the world's semiconductors. Today, we produce less than 10 percent. Look what happened: Plants shut down across Ohio. Whirlpool, Ford, GM—forced to idle plants because of the "spread out all over the world" supply chain.

We passed the CHIPS Act 2 years ago. I thank Senator CANTWELL who—what she has done to stop this, encourage more production of these chips at home.

This bill will fund—this legislation will fund the bill Congress already passed. It is not a bailout. It is critical to my State—10,000 good jobs, 5,000 building trades—union building trades jobs paying prevailing wage for the next 10 years. It is an incentive program.

The EU, China, Taiwan, South Korea all provide incentives to make these chips domestically. None of them require stock warrants.

Everybody in this body knows my position in opposition to the financial services industry to stock buybacks. You can count on that.

I yield my final 30 seconds to Senator WICKER.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. WICKER. Mr. President, there are already significant taxpayer mandates in the bill, as it is limiting award size, prohibiting funds from going to

so-called foreign entities, such as China, and clawback provisions.

Why do we need chips?

We need chips for Javelin missiles. We need them for—major weapons systems contain thousands of chips. The Arleigh Burke-class destroyer includes 250,000 chips.

It would make it much harder for Americans to produce these chips if the Sanders amendment were to pass.

I urge a no vote, and I join my friend from Ohio in urging a no vote.

The PRESIDING OFFICER. All time is expired on the motion.

Mr. SANDERS. Mr. President, may I have 30 seconds in response?

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. No one debates the need for chips. But to my friend from Ohio, I would say: You are right. We lost tens of thousands of jobs over the last 20 years. You know why? Because the same microchip companies shut down plants in America to go for cheap labor in Asia, and now we are rewarding them with \$53 billion in corporate welfare.

For all of my friends who talk about the deficit and how we can't fund the needs of our children or the elderly, \$53 billion going to some of the most profitable corporations in America without any taxpayer protection is an absolute outrage.

Let's vote for this proposal.

VOTE ON MOTION

Mr. WICKER. Mr. President, I ask for the yeas and nays.

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

Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Colorado (Mr. BENNET), the Senator from Delaware (Mr. COONS), the Senator from New Mexico (Mr. HEINRICH), the Senator from New Mexico (Mr. LUJÁN), and the Senator from New Jersey (Mr. MENENDEZ) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Missouri (Mr. BLUNT) and the Senator from Alabama (Mr. SHELBY).

The result was announced—yeas 6, nays 87, as follows:

[Rollcall Vote No. 153 Leg.]

YEAS—6

| | | |
|---------|---------|---------|
| Baldwin | Markey | Sanders |
| Booker | Merkley | Warren |

NAYS—87

| | | |
|------------|--------------|--------------|
| Barrasso | Collins | Gillibrand |
| Blackburn | Cornyn | Graham |
| Blumenthal | Cortez Masto | Grassley |
| Boozman | Cotton | Hagerty |
| Braun | Cramer | Hassan |
| Brown | Crapo | Hawley |
| Burr | Cruz | Hickenlooper |
| Cantwell | Daines | Hirono |
| Capito | Duckworth | Hoeben |
| Cardin | Durbin | Hyde-Smith |
| Carper | Ernst | Inhofe |
| Casey | Feinstein | Johnson |
| Cassidy | Fischer | Kaine |

| | | |
|-----------|------------|------------|
| Kelly | Padilla | Sinema |
| Kennedy | Paul | Smith |
| King | Peters | Stabenow |
| Klobuchar | Portman | Sullivan |
| Lankford | Reed | Tester |
| Leahy | Risch | Thune |
| Lee | Romney | Tillis |
| Lummis | Rosen | Toomey |
| Manchin | Rounds | Tuberville |
| Marshall | Rubio | Van Hollen |
| McConnell | Sasse | Warner |
| Moran | Schatz | Warnock |
| Murkowski | Schumer | Whitehouse |
| Murphy | Scott (FL) | Wicker |
| Murray | Scott (SC) | Wyden |
| Ossoff | Shaheen | Young |

NOT VOTING—7

| | | |
|--------|----------|--------|
| Bennet | Heinrich | Shelby |
| Blunt | Luján | |
| Coons | Menendez | |

The motion was rejected.

The PRESIDING OFFICER. The Senator from Montana.

MOTION TO INSTRUCT

Mr. DAINES. Mr. President, I ask unanimous consent that, notwithstanding the previous order, it be in order to offer my motion to instruct at this time.

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

Mr. DAINES. Mr. President, I call up my motion to instruct conferees, which is at the desk.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

The Senator from Montana [Mr. DAINES] moves that the managers on the part of the Senate at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 4521 be instructed to reject provisions that weaken the energy security of the United States, prohibit the development of an all-of-the-above energy portfolio, or direct funds to foreign entities for international climate objectives.

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate, equally divided, prior to a vote on the Daines motion to instruct.

Mr. DAINES. Mr. President, if we have learned anything over the past few months, it is the importance of supporting “Made in America” energy.

Since Europe has divested in traditional energy, Vladimir Putin has weaponized it and has Europe over a barrel. This is the path America is headed down if the administration continues to stonewall traditional American energy development.

For the sake of our national security, we must unleash American energy production, which includes an “all of the above” energy portfolio with renewables, hydropower, oil, gas, nuclear, and coal. Energy security is national security, and a global, energy-dominant America is a safer world.

We should also not be sending money to China like the House bill does in a package that is meant to help us win the race against China. It just doesn’t make sense.

I urge my colleagues to support this motion to instruct and reject the provisions from the House that weaken the energy security of the United States.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, I rise in opposition to this motion to instruct for one simple reason: It is up to America to lead the world in reducing the use of fossil fuels and in pivoting to renewable energy. Yet this motion to instruct says we cannot do anything to help foreign entities address any aspect of the climate objective: not to fight forest fires that come from climate change, not to address the salinization or the acidification of the sea, not to address reforestation or deforestation.

It is up to America to help make sure that we provide nonfossil fuel energy for the future that will help us all address this huge list of issues. It is important that we lead the world, not neglect the world.

VOTE ON MOTION

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

The PRESIDING OFFICER (Mr. KELLY). The Senator from New Hampshire.

MOTION TO INSTRUCT

Ms. HASSAN. Mr. President, I ask unanimous consent that, notwithstanding the previous order, it be in order to offer my motion to instruct at this time.

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

Ms. HASSAN. Mr. President, I call up my motion to instruct, which is at the desk.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

The Senator from New Hampshire [Ms. HASSAN] moves that the managers on the part of the Senate at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 4521 be instructed to insist that the final conference report include provisions that expand the research and development tax credit for small businesses and preserve full and immediate expensing for research and development investments.

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate, equally divided, prior to a vote on the Hassan motion to instruct.

Ms. HASSAN. Mr. President, I rise today to offer a bipartisan motion with Senator YOUNG that will help fuel American innovation.

The research and development tax credit gives critical support to small businesses and startups that power our economy. By strengthening the R&D tax credit for startups and preserving other tax incentives for research here in America, we can outcompete countries like China.

I would also like to thank the additional 16 Senators supporting the motion: Senators BALDWIN, MARSHALL, FEINSTEIN, SASSE, WARNOCK, BLUNT, KELLY, PORTMAN, PADILLA, FISCHER, COONS, BOOZMAN, CORTEZ MASTO, CAPITO, ROSEN, and WICKER.

I yield to the Senator from Indiana.

Mr. YOUNG. Mr. President, I ask unanimous consent to speak for 1 minute.

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

Mr. YOUNG. Mr. President, I thank my colleague from New Hampshire.

This bill is about maintaining our competitiveness with China.

We cannot compete with China without robust domestic R&D. A company investing \$100 in R&D in China this year will get a \$200 deduction. In America, that company investing \$100 would only get to deduct \$10 this year.

We must not lose out on innovation and production to China. I ask my colleagues to support this motion and support domestic R&D. Every day we wait is another day we fall behind.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Mr. President, recent polls suggest that Congress has a 19-percent favorability rating, and I find that shocking. Clearly, if that 19 percent had any inkling as to what goes on here in the Senate, that number would be much lower.

Over and over again, I hear Members of the Senate express their deep concerns about the deficit. “Oh, my God, our deficit.” We can’t maintain a child tax credit to cut child poverty, and we can’t make sure that senior citizens on Medicare have teeth in their mouths—we just can’t afford it—but, apparently, we can afford to provide \$125 billion in tax breaks over the next 4 years to some of the most profitable corporations in America, including Amazon, Intel, AT&T, Boeing, you name it.

This amendment would repeal—now, this is amazing, and I say this to my Democratic colleagues. This amendment would repeal a modest tax increase on profitable corporations that President Donald Trump pushed to partially offset the cost of his massive tax giveaway to the rich a few years ago. This was Trump’s initiative to kind of cover the tax breaks he gave to billionaires and large corporations. If this amendment were enacted, Lockheed Martin and Raytheon would receive a \$2 billion tax break each year, and Northrop Grumman would receive a \$1 billion tax break.

Is that what we are in the business of doing, telling working families we can’t help them but that we are giving huge tax breaks to some of the wealthiest and most profitable corporations in America?

I urge my colleagues to vote against this motion.

The PRESIDING OFFICER. The Senator from New Hampshire.

Ms. HASSAN. Mr. President, I ask unanimous consent to speak for 10 more seconds.

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

Ms. HASSAN. Our R&D proposal is critical to helping small businesses and to investing in R&D here at home to help us outcompete countries like China.

There is strong bipartisan support for this measure.

VOTE ON MOTION

I ask for the yeas and nays.

The PRESIDING OFFICER. The question is on agreeing to the motion. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays are ordered.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Colorado (Mr. BENNET), the Senator from West Virginia (Mr. MANCHIN), and the Senator from New Jersey (Mr. MENENDEZ) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Missouri (Mr. BLUNT) and the Senator from Alabama (Mr. SHELBY).

The result was announced—yeas 90, nays 5, as follows:

[Rollcall Vote No. 154 Leg.]

YEAS—90

| | | |
|--------------|--------------|------------|
| Baldwin | Grassley | Peters |
| Barrasso | Hagerty | Portman |
| Blumenthal | Hassan | Reed |
| Blackburn | Hawley | Risch |
| Boozman | Heinrich | Romney |
| Braun | Hickenlooper | Rosen |
| Brown | Hirono | Rounds |
| Burr | Hoeben | Rubio |
| Cantwell | Hyde-Smith | Sasse |
| Capito | Inhofe | Schatz |
| Cardin | Johnson | Schumer |
| Carper | Kaine | Scott (FL) |
| Casey | Kelly | Scott (SC) |
| Cassidy | Kennedy | Shaheen |
| Collins | King | Sinema |
| Coons | Klobuchar | Smith |
| Cornyn | Lankford | Stabenow |
| Cortez Masto | Leahy | Sullivan |
| Cotton | Lujan | Tester |
| Cramer | Lummis | Thune |
| Crapo | Marshall | Tillis |
| Cruz | McConnell | Toomey |
| Daines | Merkley | Tuberville |
| Duckworth | Moran | Van Hollen |
| Durbin | Murkowski | Warner |
| Ernst | Murphy | Warnock |
| Feinstein | Murray | Whitehouse |
| Fischer | Ossoff | Wicker |
| Gillibrand | Padilla | Wyden |
| Graham | Paul | Young |

NAYS—5

| | | |
|--------|---------|--------|
| Booker | Markey | Warren |
| Lee | Sanders | |

NOT VOTING—5

| | | |
|--------|----------|--------|
| Bennet | Manchin | Shelby |
| Blunt | Menendez | |

The motion was agreed to.

The PRESIDING OFFICER. The Senator from Florida.

MOTION TO INSTRUCT

Mr. SCOTT of Florida. I call up my motion, which is at the desk.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

The Senator from Florida [Mr. SCOTT] moves that the managers on the part of the Senate at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 4521 be instructed to insist that the final conference report include provisions that ensure that any taxpayer funds spent in the bill, including those provided to universities and private sector corporations, are subject to comprehensive return on investment analyses and claw back provisions, and corresponding timely reports on the use of such funds to Congress and the American public.

The PRESIDING OFFICER. Under the previous order, there will now be 2

minutes of debate equally divided prior to the vote on the Scott motion to instruct.

The Senator from Florida.

Mr. SCOTT of Florida. Mr. President, this government is \$30 trillion in debt, and Congress is working every day to spend money like it is burning a hole in our pocket. This bill has billions of spending, billions of taxpayer dollars, and zero mandates for return on investment. That is crazy. It is crazy and illogical. No American would make a deal like this for their business or their family. Congress shouldn't do it with your tax dollars either.

The conferees must ensure this bill makes all taxpayer funds subject to a comprehensive return-on-investment analysis with clawback provisions and mandate a report on how every dollar is spent.

We used taxpayer dollars to incentivize private sector growth when I was Governor of Florida. It helped bring businesses to my State and create jobs. But we always had return-on-investment metrics and clawbacks for when those metrics weren't met. We should be demanding the same here, and I urge my colleagues to join me and support accountability to the taxpayer.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, speaking against my colleague, I am sure he is well-meaning, but the language in this underlying amendment would condition the funds of this bill. Say the taxpayer money provided to universities on research—think about what we do today with universities on a lot of subjects. Just ask yourself, would you ever have an ROI on the COVID vaccine? basic research around lifesaving medicine? It took 60 years to prove the return on that investment. There are underlying DARPA funds in this bill. Do you think that all of those DARPA funds showed return on investment? Say goodbye to those moneys.

This also says that it can be conditioned for a clawback. Who? So nuclear research done by one institution and one administration but not liked by the next administration is clawed back? I think we have trusted our universities to do this research for us, and that is what a research economy is about.

We need to dust off our R&D skills and make these investments and make the commitments. The underlying bill has safeguards on spending in the bill.

I ask my colleagues to vote no on this motion to instruct.

VOTE ON MOTION

The PRESIDING OFFICER. Hearing no further debate, the question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The Senator from Iowa.

MOTION TO INSTRUCT

Ms. ERNST. Mr. President, I call up my motion to instruct conferees, which is at the desk.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

The Senator from Iowa [Ms. ERNST] moves that the managers on the part of the Senate at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 4521 be instructed to reject the provision as agreed to by the House of Representatives that would reauthorize the Small Business Innovation Research and Small Business Technology Transfer programs under section 9 of the Small Business Act (15 U.S.C. 638) without authorization to prevent the Russian Federation and the People's Republic of China from acquiring technology critical to national security developed through programs of the Small Business Administration and participating Federal agencies.

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to the vote on the Ernst motion to instruct.

Ms. ERNST. Mr. President, the Small Business Innovation Research and Small Business Technology Transfer Programs provide critical innovation support to America's small businesses. While this program is celebrating 40 years in business, SBIR continues to be exploited by foreign adversaries due to lack of controls within the programs to prevent the transfer of new American technology to our adversaries.

China has become one of the largest beneficiaries of the SBIR Programs because of the lack of adequate oversight. China and other foreign adversaries, like Putin's Russia, know this and have been establishing shell companies, acquiring beneficial ownership in American enterprises, selecting key awardee personnel for talent recruitment, and other state-directed technology acquisition. China has also infiltrated businesses known as SBIR mills that have won numerous grants.

This is a clear national security threat and is wholly unacceptable. Serious and comprehensive due diligence reforms are needed to combat adversarial foreign influence in these programs and to protect our national security.

I ask my colleagues on both sides of the aisle to support this effort.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, I agree with my colleague that the SBIR Program and the STTR Program are critical to our American small businesses. It offers them incredible opportunities to develop technology important for our Nation. I also agree with my colleague that it is important we prevent critical national security technology developed by the programs from being acquired by China and Russia.

I do point out that if you look at the COMPETES Act, there are safeguards to prevent our foreign adversaries from acquiring sensitive technology—and not just China and Russia but all foreign countries of concern, including Iran and North Korea. This effort

builds on section 223 of the fiscal year 2021 National Defense Authorization Act that provides protection and requires disclosure to guard against foreign influence on federally funded research and development.

I am going to support the motion to instruct and work with my colleague so we can develop clear language and make it clear that the technology developed by the SBIR Program and STTR Program are protected against being taken into China and Russia. I look forward to working with my colleague.

I support the motion.

VOTE ON MOTION

The PRESIDING OFFICER. Hearing no further debate, the question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The Senator from Oklahoma.

MOTION TO INSTRUCT

Mr. LANKFORD. Mr. President, I call up my motion to instruct, which is at the desk.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

The Senator from Oklahoma [Mr. LANKFORD] moves that the managers on the part of the Senate at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 4521 be instructed to insist that the final conference report include provisions requiring that any agreement negotiated by the United States with the Islamic Republic of Iran addressing Iran's development of nuclear weapons—

(1) also includes provisions addressing the full range of Iran's destabilizing activities, including development of the means of delivery for such weapons (such as ballistic missiles), support for terrorism, and evasion of sanctions by individuals, entities, and vessels in the trade of petroleum products with the People's Republic of China;

(2) does not lift sanctions on the Islamic Revolutionary Guard Corps; and

(3) does not revoke the designation of the Islamic Revolutionary Guard Corps as a foreign terrorist organization under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to the vote on the Lankford motion to instruct.

The Senator from Oklahoma.

Mr. LANKFORD. Mr. President, we are about to go into conference on what we are basically calling the China bill, but this bill does not address China's practice of purchasing and stockpiling sanctioned Iranian oil on the black market.

This procurement spike by China is directly correlated with the spike in terrorist activities by Iran and its proxies in the Middle East. Iran is laundering these petroleum products and illicitly transferring the oil at sea to Iranian tankers and foreign-flagged vessels. Three-quarters of this oil is ultimately exported to China, which purchased 310 million barrels of oil from Iran last year. All of this is happening

while China is actually negotiating directly with Iran on our behalf in Vienna.

This particular motion to instruct goes straight at this illicit activity from Iran that is facilitating the terror activities and also addresses the designation that Iran is asking if they are going to negotiate with the Biden administration on the Iran nuclear deal. Iran is specifically asking that they get a lift of the "foreign terrorist organization" on the Islamic Revolutionary Guard Corps. That is the group that was attacking our troops in Iraq and facilitating their death.

We need to address this and take it off the table so that Iran does not get by with this and the Islamic Revolutionary Guard Corps does not.

I urge a "yes" vote on my motion to instruct.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. Mr. President, I would urge opposition to this motion.

This motion asks the Senate to endorse President Trump's Iran policy—a policy that, if you didn't notice, was a complete, total failure.

The motion calls for a provision in the underlying bill to prohibit a return to the JCPOA and to keep Trump's "maximum pressure" campaign intact until a mythical comprehensive agreement is achieved with Iran, inclusive of all their malevolent behavior. This policy just hasn't worked. To apply it prospectively would be ruinous.

Friends, Iran is weeks away from having enough nuclear material for a weapon. To deny this administration the ability to enter into a nuclear agreement isn't just folly; it is downright dangerous.

I wish a comprehensive agreement with Iran was possible, but 4 years of failure by President Trump was proof that, for the time being, it is not. We should not endorse 4 more years of this failed Iran policy.

I urge opposition.

VOTE ON MOTION

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

Mr. LANKFORD. 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 Colorado (Mr. BENNET) and the Senator from New Jersey (Mr. MENENDEZ) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Missouri (Mr. BLUNT), the Senator from Idaho (Mr. RISCH), and the Senator from Alabama (Mr. SHELBY).

Further, if present and voting, the Senator from Idaho (Mr. RISCH) would have voted "yea."

The result was announced—yeas 62, nays 33, as follows:

[Rollcall Vote No. 155 Leg.]

YEAS—62

| | | |
|--------------|------------|------------|
| Barraso | Gillibrand | Peters |
| Blackburn | Graham | Portman |
| Blumenthal | Grassley | Romney |
| Booker | Hagerty | Rosen |
| Boozman | Hassan | Rounds |
| Braun | Hawley | Rubio |
| Burr | Hoeben | Sasse |
| Capito | Hyde-Smith | Schumer |
| Cardin | Inhofe | Scott (FL) |
| Cassidy | Johnson | Scott (SC) |
| Collins | Kelly | Sinema |
| Coons | Kennedy | Sullivan |
| Cornyn | King | Tester |
| Cortez Masto | Lankford | Thune |
| Cotton | Lee | Tillis |
| Cramer | Lummis | Toomey |
| Crapo | Manchin | Tuberville |
| Cruz | Marshall | Wicker |
| Daines | McConnell | Wyden |
| Ernst | Moran | Young |
| Fischer | Murkowski | |

NAYS—33

| | | |
|--------------|-----------|------------|
| Baldwin | Kaine | Reed |
| Brown | Klobuchar | Sanders |
| Cantwell | Leahy | Schatz |
| Carper | Lujan | Shaheen |
| Casey | Markey | Smith |
| Duckworth | Merkley | Stabenow |
| Durbin | Murphy | Van Hollen |
| Feinstein | Murray | Warner |
| Heinrich | Ossoff | Warnock |
| Hickenlooper | Padilla | Warren |
| Hirono | Paul | Whitehouse |

NOT VOTING—5

| | | |
|--------|----------|--------|
| Bennet | Menendez | Shelby |
| Blunt | Risch | |

The PRESIDING OFFICER. On this vote, the yeas are 62, the nays are 33.

Under the previous order requiring 60 votes for the adoption of this motion, the motion is agreed to.

The majority leader.

Mr. SCHUMER. OK. My colleagues, we have seven votes left; three look like they will be voice, so there are four votes. If we stay in our seats and try to stick as close as we can to the 10-minute vote, we can finish very soon. So please do that.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

MOTION TO INSTRUCT

Mr. SANDERS. Mr. President, I call up my motion to instruct, which is at the desk.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

The Senator from Vermont [Mr. SANDERS] moves that the managers on the part of the Senate at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 4521 be instructed to recede from the provision contained in section 2614(c) of the Senate amendment (relating to contract redundancy and funding for the human landing system program of the National Aeronautics and Space Administration, which would likely go to Blue Origin).

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote on the Sanders motion to instruct.

The Senator from Vermont.

Mr. SANDERS. Mr. President, this motion is cosponsored by Senator JOHNSON of Wisconsin, and I have to say that we are on a roll tonight.

We have already voted to give \$53 billion in corporate welfare to the microchip industry. We voted to give \$125 billion in tax breaks to some of the wealthiest corporations in the country.

But now we have the opportunity to do even better. We can give \$10 billion to Jeff Bezos, the second wealthiest person in this country, who is the owner of the space company Blue Origin.

Clearly, Mr. Bezos desperately needs this Federal assistance. He is only worth \$150 billion, and with all of his lawyers and accountants, in a given year, he pays nothing in Federal income taxes.

He is the owner of Amazon, which in a given year also pays nothing in Federal income taxes.

Mr. Bezos has enough money to buy a \$500 million yacht, \$175 million estate in Beverly Hills, and a \$23 million mansion here in Washington.

I am sure that your constituents will be very excited to hear that you are going to give him this \$10 billion, which he clearly desperately needs.

Further, for those people here who believe in trade unions, Mr. Bezos has spent millions of dollars at Amazon preventing workers at Amazon from exercising their constitutional right to form a union.

He is part of Amazon, a company that has been fined over and over again for violating the law.

Mr. President, at a time when 70 million are uninsured, when 600,000 people are homeless in this country, when we are seeing a growing gap between the very rich and everybody else, it does not make a lot of sense to give \$10 billion to the second wealthiest person in this country.

I urge my colleagues to vote yes on this motion.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. TUBERVILLE. Mr. President, NASA recognizes that competition makes us better. That is why they asked Congress to fund a second provider for the lunar lander.

Developing additional designs was NASA's original intent—a type of built-in insurance. It helps foster greater astronaut safety, which you can appreciate, and minimize the impact of delays; in the end, protecting the American taxpayers' investment in the Artemis program.

To continue advancements in American ingenuity and innovation, Congress must embrace competition, safety, and public-private partnerships.

My colleague from Vermont's motion would take a sledgehammer to American ingenuity and the Artemis program.

I urge my colleagues to vote against this motion.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, I ask unanimous consent for an additional 30 seconds.

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

Ms. CANTWELL. I, too, oppose this amendment.

Striking the authorization does strike competition. NASA has asked for continued competition, and there are many defense contractors who have expressed interest—Lockheed Martin, Northrop Grumman, Dynetics.

So I understand my colleague's frustration and what he wants to complain about, but this is about safety, and it is about redundancy, and it is about us authorizing the Artemis program; not just having appropriators make a decision, but having the authorization of safety and redundancy that we expect if we as a Nation are going to take the next woman astronaut all the way to the surface of the Moon.

When I think about what happened with the space shuttle Columbia and the disaster, NASA suffered great consequences. They have said redundancy matters, and that is what we are authorizing, and the competition my colleague just mentioned.

The PRESIDING OFFICER. The Senator from Vermont, 30 seconds.

Mr. SANDERS. Mr. President, you know, I hear this word "competition," but I want everybody to know what the competition is in the space program.

The competition is between Mr. Musk and SpaceX. Musk is the wealthiest guy in the country, and Jeff Bezos and Blue Origin, the second wealthiest guy in this country.

Is that really the kind of space program that the American people want? I think not.

Mrs. FEINSTEIN. Madam President, I rise today to explain my position on Senator SANDERS' motion to instruct conferees to remove language from any final conference report of the U.S. Innovation and Competition Act and the America COMPETES Act that would provide \$10 billion for NASA to develop a second Human Landing System.

California has long been the epicenter of the global aerospace and commercial space industries, and I am proud of the many technical and scientific advancements made by California scientists and engineers. The bills that the conference committee will consider are intended to ensure that the innovation in aerospace in California and beyond has the support needed to maintain the United States' global competitive edge and lead scientific advancement.

When the Senate passed the U.S. Innovation and Competition Act last summer, I was concerned that section 2614 of the bill would circumvent the competitive process at the heart of Federal procurement and undermined NASA's existing contract for the Artemis Human Landing System.

By that time, NASA had already completed a contract review and award for the Artemis program for the development of a landing system, selecting the proposal by SpaceX. The SpaceX bid not only received the highest rating for its technical aspects and management approach, it also had the lowest price.

Nevertheless, the unsuccessful contractors who did not receive the final contract, Blue Origin and Dynetics, filed a complaint with the Government Accountability Office, alleging violations and unreasonable evaluation practices.

The GAO investigated for 3 months and ultimately denied the claims by the contractors, saying: "The evaluation of all three proposals was reasonable and consistent with applicable procurement law, regulation, and the announcement's terms."

Like Senator SANDERS, I had initial concerns that section 2614 of the U.S. Innovation and Competition Act would create an additional Human Landing System contract, thereby providing substantial public funding to contractors who lost a fair competitive contract award. Moreover, the terms of section 2614 threatened to force NASA into a rushed acquisition and could have diverted funds from other important projects to cover the expenses of this second Artemis award.

However, my staff and I have worked with Senator CANTWELL and her staff at the Senate Commerce Committee to address those concerns. I understand that the Commerce Committee will work through the conference process to extend the timeline for the new contract in the bill—previously just 90 days—to ensure that NASA can undertake another fair procurement process.

They have further committed to working with NASA to ensure that the language does not represent an unfunded mandate, forcing NASA to pull funds from other programs.

Lastly, NASA's budget request this year for the landing system was \$1.5 billion, a significantly more reasonable amount than the enormous figure included in the original Senate bill. As a member of the Appropriations Subcommittee for Commerce, Justice, and Science, I will continue to observe this program closely to ensure that these Federal funds are spent responsibly and without favoritism.

I want to reiterate that I have long supported NASA's scientific endeavors, including the upcoming Artemis moon mission, and I look forward to seeing the improved language in the final version of the bill. I thank Senator CANTWELL and her staff for working with me to address my concerns, and I respectfully note that I will vote no on the motion by Senator SANDERS.

VOTE ON MOTION

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

Mr. SANDERS. Mr. President, 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 legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Colorado (Mr. BENNET) and the Senator from New Jersey (Mr. MENENDEZ) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Missouri (Mr. BLUNT), the Senator from Idaho (Mr. RISCH), and the Senator from Alabama (Mr. SHELBY).

The result was announced—yeas 17, nays 78, as follows:

[Rollcall Vote No. 156 Leg.]

YEAS—17

| | | |
|------------|-----------|------------|
| Boozman | Johnson | Rubio |
| Braun | Klobuchar | Sanders |
| Cotton | Lee | Scott (FL) |
| Gillibrand | Markey | Smith |
| Hawley | Murkowski | Warren |
| Hirono | Paul | |

NAYS—78

| | | |
|--------------|--------------|------------|
| Baldwin | Graham | Peters |
| Barrasso | Grassley | Portman |
| Blackburn | Hagerty | Reed |
| Blumenthal | Hassan | Romney |
| Booker | Heinrich | Rosen |
| Brown | Hickenlooper | Rounds |
| Burr | Hoeven | Sasse |
| Cantwell | Hyde-Smith | Schatz |
| Capito | Inhofe | Schumer |
| Cardin | Kaine | Scott (SC) |
| Carper | Kelly | Shaheen |
| Casey | Kennedy | Sinema |
| Cassidy | King | Stabenow |
| Collins | Lankford | Sullivan |
| Coons | Leahy | Tester |
| Cornyn | Lujan | Thune |
| Cortez Masto | Lummis | Tillis |
| Cramer | Manchin | Toomey |
| Crapo | Marshall | Tuberville |
| Cruz | McConnell | Van Hollen |
| Daines | Merkley | Warner |
| Duckworth | Moran | Warnock |
| Durbin | Murphy | Whitehouse |
| Ernst | Murray | Wicker |
| Feinstein | Ossoff | Wyden |
| Fischer | Padilla | Young |

NOT VOTING—5

| | | |
|--------|----------|--------|
| Bennet | Menendez | Shelby |
| Blunt | Risch | |

The motion was rejected.

MOTION TO INSTRUCT

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. CASSIDY. Mr. President, I call up my motion to instruct conferees, which is at the desk.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

A Senator from Louisiana [Mr. CASSIDY] moves that the managers on the part of the Senate at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 4521 be instructed to insist that the final conference report include provisions that require the President to directly address troubling developments in Mexico's energy sector that intentionally cause harm to United States jobs and economic interests, business and investor interests, and climate goals through the use of consultations under the USMCA (as defined in section 3 of the United States-Mexico-Canada Agreement Implementation Act (19 U.S.C. 4502)).

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate, equally divided, prior to the vote on the Cassidy motion to instruct.

Mr. CASSIDY. Mr. President, the importance of trade agreements is that everyone follows the rules they agreed to. Mexico is not following the USMCA.

They have forced the closures or partial closures of dozens of fuel facilities and have canceled permits for the im-

port and export of fuels. They are favoring their national industry, PEMEX, and disadvantaging American companies, including companies building renewable projects. These actions chill foreign direct investment with Mexico, hurt American businesses, and undermine climate goals; but Mexico continues to benefit from the rest of the USMCA.

We wish to be a strong and dependable trade partner with Mexico, but the USMCA should be honored. The role of the USTR is to represent the interests of the United States and hold trade partners to their word. Mexico should respect property rights for U.S. businesses. This should be a priority for the USTR.

I yield back all time.

VOTE ON MOTION

The PRESIDING OFFICER. Without objection, all time is yielded back.

The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The Senator from Georgia.

MOTION TO INSTRUCT

Mr. WARNOCK. Mr. President, I call up my motion to instruct, which is at the desk.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

A Senator from Georgia [Mr. WARNOCK] moves that the managers on the part of the Senate at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 4521 be instructed to insist that the final conference report include provisions that fully fund programs to build institutional research capacity at historically Black colleges or universities that are developing research institutions.

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate, equally divided, prior to a vote on the Warnock motion to instruct.

Mr. WARNOCK. Mr. President, this legislation will help to lower costs for hard-working families, create jobs, and equip the Nation to compete in a changing economy.

Historically Black colleges and universities have been putting in the work. For years, they have always had to punch above their weight, but they play a critical role in creating those jobs and in ensuring that we have a diverse, trained workforce for new technology, for research, and advanced manufacturing opportunities in Georgia and, indeed, across the country.

That is why we have to invest in their ability to meet tomorrow's challenges. When we invest in all of our young people, we position our economy to be strong for 10 years, 20 years, 30 years into the future.

The purpose of this motion is very simple. It will ensure that our entire higher education sector can contribute to our growing tech and innovation economy. We make good use of all of our talent in creating businesses and

good-paying jobs in Georgia and all across the Nation. I hope that we can adopt this motion by voice vote.

VOTE ON MOTION

The PRESIDING OFFICER. Is there further debate on the motion?

If not, the question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The Senator from West Virginia.

MOTION TO INSTRUCT

Mrs. CAPITO. Mr. President, I call up my motion to instruct conferees, which is at the desk.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

The Senator from West Virginia [Mrs. CAPITO] moves that the managers on the part of the Senate at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 4521 be instructed to insist that the final conference report include provisions that—

(1) emphasize that, under current law, the President may not—

(A) declare, on the basis of climate change—

(i) a national emergency under the National Emergencies Act (50 U.S.C. 1601 et seq.);

(ii) an emergency or major disaster under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.); or

(iii) a public health emergency under section 319 of the Public Health Service Act (42 U.S.C. 247d); or

(B) invoke, on the basis of climate change, the authorities of the Defense Production Act of 1950 (50 U.S.C. 4501 et seq.); and

(2) provide that nothing in H.R. 4521 grants the President the authority to make a declaration or invocation described in paragraph (1).

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate, equally divided, prior to a vote on the Capito motion to instruct.

Mrs. CAPITO. Mr. President, this motion to instruct emphasizes that climate change cannot be used as a basis for the President to declare an emergency or a major disaster or any other means to expand executive powers.

In the last 2 weeks, Progressives in Congress have renewed their push for the President to claim powers he doesn't have and make it harder to produce energy domestically and export it abroad. This is bad policy, and it sets a bad precedent to encourage expansive executive authority.

Now, of course, I think we should address climate change, but ceding broad authority over to the Executive is not the way to go. I have worked together with my colleagues on numerous pieces of meaningful climate legislation and continue to do so as the ranking member of the Environment and Public Works Committee.

When Congress wants to address climate, as we have in the past, it rolls up its sleeves and does so in a thoughtful, bipartisan manner, with clear, detailed direction to the Executive, not by giving the Executive broad authority to do whatever it sees fit.

I encourage a positive vote on my motion to instruct.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, when vigorous storms attack the heartland and destroy crops, I hope that the President has emergency powers to assist those farmers. When fires—fiercer fires in a longer fire season—proceed to burn not just one town but six towns to the ground in the State of Oregon in an almost unbelievable, horrendous reduction to ashes, I hope the President has emergency powers to declare a major disaster and assist the good people of my State or your State when these disasters happen. If changing temperatures and changing rain patterns bring the sandfly to Texas and leishmaniasis or some other deadly disease, then, indeed, the President needs to have the power to declare a public health service emergency.

Taking away the ability for the President to declare major disasters or health emergencies or national emergencies when there are disasters striking our people is a terrible idea, and I encourage you to vote no on this motion to instruct.

VOTE ON MOTION

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

Mr. MERKLEY. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is 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 Colorado (Mr. BENNET) is necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Missouri (Mr. BLUNT), the Senator from Idaho (Mr. RISCH), and the Senator from Alabama (Mr. SHELBY).

The PRESIDING OFFICER (Ms. BALDWIN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 49, nays 47, as follows:

[Rollcall Vote No. 157 Leg.]

YEAS—49

| | | |
|-----------|------------|------------|
| Barrasso | Grassley | Paul |
| Blackburn | Hagerty | Portman |
| Boozman | Hawley | Romney |
| Braun | Hoeven | Rounds |
| Burr | Hyde-Smith | Rubio |
| Capito | Inhofe | Sasse |
| Cassidy | Johnson | Scott (FL) |
| Collins | Kelly | Scott (SC) |
| Cornyn | Kennedy | Sullivan |
| Cotton | Lankford | Thune |
| Cramer | Lee | Tillis |
| Crapo | Lummis | Toomey |
| Cruz | Manchin | Tuberville |
| Daines | Marshall | Wicker |
| Ernst | McConnell | Young |
| Fischer | Moran | |
| Graham | Murkowski | |

NAYS—47

| | | |
|-------------|--------------|--------------|
| Baldwin | Carper | Feinstein |
| Bleumenthal | Casey | Gillibrand |
| Booker | Coons | Hassan |
| Brown | Cortez Masto | Heinrich |
| Cantwell | Duckworth | Hickenlooper |
| Cardin | Durbin | Hirono |

| | | |
|-----------|---------|------------|
| Kaine | Ossoff | Smith |
| King | Padilla | Stabenow |
| Klobuchar | Peters | Tester |
| Leahy | Reed | Van Hollen |
| Lujan | Rosen | Warner |
| Markey | Sanders | Warnock |
| Menendez | Schatz | Warren |
| Merkley | Schumer | Whitehouse |
| Murphy | Shaheen | Wyden |
| Murray | Sinema | |

NOT VOTING—4

| | |
|--------|--------|
| Bennet | Risch |
| Blunt | Shelby |

The motion was agreed to.

The PRESIDING OFFICER. The Senator from Pennsylvania.

MOTION TO INSTRUCT

Mr. TOOMEY. Madam President, I call up my motion to instruct, which is at the desk.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

The Senator from Pennsylvania [Mr. TOOMEY] moves that the managers on the part of the Senate at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 4521 be instructed to insist upon the provisions contained in section 73001 of the Senate amendment (relating to establishing a process for exclusion of articles from duties under section 301 of the Trade Act of 1974).

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate, equally divided, prior to a vote on the Toomey motion to instruct.

Mr. TOOMEY. Madam President, my motion would simply instruct the Senate conferees to USICA to keep a provision of the Wyden-Crapo trade amendment that passed the Senate 91 to 4. Specifically, it is the provision that requires the administration reestablish an exclusion process for current and future section 301 actions.

This does not repeal 301 tariffs. It doesn't preclude new 301 tariffs. But, remember, when the Trump administration imposed 301 tariffs, they created an exclusion process for the simple reason that it was important to exclude from tariffs those circumstances in which it would do more harm to an American manufacturer and worker than those targeted by the tariffs. But the exclusion process has expired. It has not been fully restarted. So many U.S. manufacturers are not able to get the relief they need.

The USICA language that passed the Senate would reestablish this exclusion process. The language grants considerable flexibility to the U.S. Trade Rep. even to the point where the exclusion process could be waived altogether if the Trade Rep concludes that, otherwise, it would diminish American leverage.

The bipartisan language simply helps ensure that American manufacturers remain competitive. Nearly every one of us submitted letters of request from constituent companies asking for exclusions.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. TOOMEY. There is no exclusion if there is no exclusion process.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Madam President, I rise to oppose Senator TOOMEY's motion to instruct against motions that undermine investments in American manufacturing and production.

I urge my colleagues to oppose this motion to instruct. It supports a broad exclusion process for 301 tariffs for goods from China. These tariffs are in place because of Chinese unfair trade practices that target our industrial base and jobs in Pennsylvania and Ohio and New Jersey.

The AFL-CIO opposes this motion. The USTR opposes it. The bipartisan, pro-industry Alliance for American Manufacturing opposes it. They know any exclusions need to be part of a broader strategic approach that we all support to trade policy with China. Creating an overly broad exclusion process that ties our hands would take away leverage we need to pressure China to change its behavior—behavior the steel industry in my State and other industries all over the country know too well.

China cheats. We know this. It subsidizes its steel industry. It props up state-owned enterprises. It steals intellectual property. It pollutes the Earth and exploits our workers. It is costing my State and all over the country jobs year after year. We can't let China's cheating undermine the investments we are making in this bill.

I ask for opposition to the Toomey motion.

VOTE ON MOTION

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

Mr. SCHUMER. Madam President, 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 legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Colorado (Mr. BENNET) is necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Missouri (Mr. BLUNT), the Senator from Idaho (Mr. RISCH), and the Senator from Alabama (Mr. SHELBY).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote or change their vote?

The result was announced—yeas 53, nays 43, as follows:

[Rollcall Vote No. 158 Leg.]

YEAS—53

| | | |
|--------------|--------------|-----------|
| Barrasso | Cruz | Lee |
| Blackburn | Daines | Lummis |
| Booker | Ernst | Manchin |
| Burr | Feinstein | Marshall |
| Cantwell | Fischer | McConnell |
| Capito | Hassan | Menendez |
| Carper | Hickenlooper | Murkowski |
| Cassidy | Inhofe | Murray |
| Collins | Kaine | Ossoff |
| Coons | Kelly | Paul |
| Cornyn | King | Romney |
| Cortez Masto | Klobuchar | Rosen |
| Cramer | Leahy | Rounds |

| | | |
|----------|------------|---------|
| Sasse | Thune | Warnock |
| Shaheen | Tillis | Wicker |
| Sinema | Toomey | Wyden |
| Smith | Tuberville | Young |
| Sullivan | Warner | |

NAYS—43

| | | |
|------------|------------|------------|
| Baldwin | Hawley | Portman |
| Blumenthal | Heinrich | Reed |
| Boozman | Hirono | Rubio |
| Braun | Hoeben | Sanders |
| Brown | Hyde-Smith | Schatz |
| Cardin | Johnson | Schumer |
| Casey | Kennedy | Scott (FL) |
| Cotton | Lankford | Scott (SC) |
| Crapo | Lujan | Stabenow |
| Duckworth | Markey | Tester |
| Durbin | Merkley | Van Hollen |
| Gillibrand | Moran | Warren |
| Graham | Murphy | Whitehouse |
| Grassley | Padilla | |
| Hagerty | Peters | |

NOT VOTING—4

| | |
|--------|--------|
| Bennet | Risch |
| Blunt | Shelby |

The motion was agreed to.

The PRESIDING OFFICER. The junior Senator from New Mexico.

Mr. LUJAN. Madam President, I ask unanimous consent that notwithstanding the previous order, it be in order to offer my motion to instruct at this time.

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

MOTION TO INSTRUCT

Mr. LUJAN. Madam President, I have a motion at the desk to instruct conferees.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

The Senator from New Mexico [Mr. LUJAN] moves that the managers on the part of the Senate at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 4521 be instructed to insist on provisions supporting the work of the Department of Energy, user facilities of the Department of Energy, and National Laboratories, including work in microelectronics and across the key technology focus areas (as defined in section 2002 of the amendment).

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate, equally divided, prior to a vote on the Lujan motion to instruct.

The junior Senator from New Mexico.

Mr. LUJAN. Thanks to a bipartisan effort in the Commerce Committee, the Senate-passed U.S. Innovation and Competition Act includes nearly \$17 billion to support research, development, and supply chain support at the Department of Energy National Laboratories, including key technology areas, such as high-performance computing, advanced energy technologies, artificial intelligence, quantum information science, and advanced manufacturing. The House bill also includes robust support for our National Labs.

This strong investment is critical to maintaining and strengthening U.S. competitiveness and security, especially as global R&D expenditures rise in these transformative industries.

Our National Labs are a research crown jewel, and other countries are taking notice of our progress. In fact,

China is working to build out their own national lab network modeled after our own DOE Labs. Inaction would leave the United States at risk of being rapidly outpaced.

New Mexico's own Sandia and Los Alamos National Laboratories are leading the way in developing cutting-edge technologies in key focus areas and driving innovation in critical national priorities, such as next-generation microelectronics.

The Department of Energy's experience working with universities, collaborating with the private sector, and protecting American intellectual property from theft makes it a pillar of the U.S. innovation ecosystem.

VOTE ON MOTION

The PRESIDING OFFICER. The Senator's time has expired.

Hearing no further debate, the question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The majority leader.

Mr. SCHUMER. Madam President, this is our last vote, and I want to thank Members on both sides of the aisle for their cooperation. If you would have told me at noon today we would finish this by 10:20, I would have said we never could do it.

Thank you. Last vote.

The PRESIDING OFFICER. The Senator from South Carolina.

MOTION TO INSTRUCT

Mr. SCOTT of South Carolina. I call up my motion to instruct conferees, which is at the desk.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

The Senator from South Carolina [Mr. SCOTT] moves that the managers on the part of the Senate at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 4521 be instructed to insist that the final conference report include a requirement that any new legislation providing for new mandates on greenhouse gas emissions should not be enacted unless similar mandates are enacted in the People's Republic of China.

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate, equally divided, prior to a vote on the Scott motion to instruct.

The Senator from South Carolina.

Mr. SCOTT of South Carolina. Madam President, this should be simple. The last 20 years, China's emissions have gone from 13 percent globally to 28 percent. At the same time, our emissions have gone from 25 percent down to 14 percent.

I will start over.

The last 20 years, China's emissions have doubled—13 percent to 28 percent. At the exact same time, ours has gone from 25 percent to 14 percent.

Why would we cripple our economy to make it easier for China to prosper? This should be a simple one. Gas in DC is \$5 a gallon. We are destroying America's economy, and we are crippling our

Nation's energy security. This should be simple.

I yield back the rest of my time.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. I rise reluctantly in opposition to the motion to instruct offered by our friend from South Carolina. I genuinely enjoy his friendship. And working with him, I agree with him on many issues. This is one where we just disagree.

I have serious concerns with the motion he is offering tonight to prevent U.S. greenhouse gas emission mandates from being enacted unless China enacts similar mandates. Greenhouse gases that drive climate change threaten our planet, threaten our lives. They threaten our livelihood.

They also present an opportunity for the United States to lead on the global stage. We have an opportunity—a now-or-never opportunity—for our country to lead in deploying clean, American-made technologies, to lower greenhouse emissions, create American jobs, and position our economy to compete with and beat competitors, including China, like a drum.

Our ability to provide clean energy leadership or to collect climate change data should not be contingent on the action of our foes, as this motion to instruct recommends. The leadership is keeping out of step when everyone else is marching to the wrong tune, including China.

In conclusion, our country should be leading by example—not from behind—in tackling the climate crisis so that our businesses, our workers, and our planet reap the benefits of a clean economy.

And that is why I will be voting reluctantly on this motion to instruct our colleagues, and I hope you will join with me.

I ask for the yeas and nays.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. SCOTT of South Carolina. I have great respect for Senator CARPER. I think he is a man of integrity. I will simply say that China can't hear the music he is talking about. Our emissions have been going down while theirs is going up.

Clean energy in this footprint is produced cleaner in America than it is in China. So if you care about the environment, produce it here at home. If you care about national security, produce it here at home.

(Applause.)

That is all I am suggesting.

I will reclaim the last 10 seconds of my time.

VOTE ON MOTION

The PRESIDING OFFICER. The question is on agreeing to the motion. 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 Colorado (Mr. BENNET) is necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Missouri (Mr. BLUNT), the Senator from Idaho (Mr. RISCH), and the Senator from Alabama (Mr. SHELBY).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote or change their vote?

The result was announced—yeas 47, nays 49, as follows:

[Rollcall Vote No. 159 Leg.]

YEAS—47

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

NAYS—49

| | | |
|--------------|-----------|------------|
| Baldwin | Hirono | Rosen |
| Blumenthal | Kaine | Sanders |
| Booker | Kelly | Schatz |
| Brown | King | Schumer |
| Cantwell | Klobuchar | Shaheen |
| Cardin | Leahy | Sinema |
| Carper | Lujan | Smith |
| Casey | Manchin | Stabenow |
| Coons | Markey | Tester |
| Cortez Masto | Menendez | Van Hollen |
| Duckworth | Merkley | Warner |
| Durbin | Murphy | Warnock |
| Feinstein | Murray | Warren |
| Gillibrand | Ossoff | Whitehouse |
| Hassan | Padilla | Wyden |
| Heinrich | Peters | |
| Hickenlooper | Reed | |

NOT VOTING—4

| | |
|--------|--------|
| Bennet | Risch |
| Blunt | Shelby |

The motion was rejected.

APPOINTMENT OF CONFEREES

The PRESIDING OFFICER. The Chair appoints the following conferees, which the clerk will report.

The senior assistant legislative clerk read the names of: Senators CANTWELL, MENENDEZ, WYDEN, PETERS, MURRAY, BROWN, WARNER, KELLY, WARNOCK, HICKENLOOPER, TESTER, HEINRICH, BALDWIN, WICKER, CRAPPO, RISCH, BURR, PORTMAN, GRASSLEY, SHELBY, TOOMEY, BARRASSO, CAPITO, CORNYN, YOUNG, and MORAN.

The PRESIDING OFFICER. The junior Senator from Delaware.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. COONS. Madam President, I ask unanimous consent that the Senate proceed to executive session to consider the following nomination: Executive Calendar No. 589, James D. Rodriguez, to be Assistant Secretary of Labor for Veterans' Employment and Training; that the Senate vote on the nomination without intervening action or debate; that the motion to reconsider be considered made and laid upon the table; that any statements related

to the nomination be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate resume legislative session.

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

The clerk will report the nomination. The senior assistant legislative clerk read the nomination of James D. Rodriguez, of Texas, to be Assistant Secretary of Labor for Veterans' Employment and Training.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Rodriguez nomination?

The nomination was confirmed.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

MEASURE PLACED ON THE CALENDAR—S. 4132

Mr. COONS. Madam President, I understand there is a bill at the desk that is due for a second reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the second time.

The senior assistant legislative clerk read as follows:

A bill (S. 4132) to protect a person's ability to determine whether to continue or end a pregnancy, and to protect a health care provider's ability to provide abortion services.

Mr. COONS. In order to place the bill on the calendar under the provisions of rule XIV, I would object to further proceedings.

The PRESIDING OFFICER. Objection having been heard, the bill will be placed on the calendar.

MORNING BUSINESS

REMEMBERING THOMAS OAKLEY

Mr. DURBIN. Madam President, Tom Oakley was a man with a mission. His mission was to put Quincy and Western Illinois on the map. The only sure way to do that was to personally redraw the maps. So he did.

In the late 1950s, there was not a four-lane highway anywhere within 100 miles of Quincy, IL. Critics called the region: "Forgottonia." Thomas Oakley had more than a good memory. He had a vision, and Western Illinois was not about to be forgotten.

Any political candidate who paid a visit to Tom's Herald-Whig editorial board knew what to expect. No complimentary coffee or cool glass of water until Tom asked the question. With a dead serious look and his deep bass voice, he skipped the pleasantries.

"What's your position on completing the four-lane Central Illinois Expressway all the way to Quincy?"

"I am for it," I quickly answered as a congressional candidate in 1982.

Tom smiled and asked how I liked my coffee. It was the beginning of a beautiful friendship.

For decades, Quincy and the Tri-States had no greater advocate than Tom. His indefatigable voice for the region rightfully earned him the honor of having a 60-mile stretch of the Chicago to Kansas Expressway highway named after him. From Quincy to Macomb, it is the Thomas A. Oakley Highway now. He also helped grow his family's media company Quincy Media, Inc., into the 13th largest media company in the country. Last month, Tom passed away, and today, we honor the memory and legacy of my friend.

Tom was a member of the fourth generation of his family to work for Quincy Media, which operates the Quincy Herald-Whig, the Hannibal Courier-Post, and WGEM television and radio. Quincy Media has properties in several other markets as well. He was born to Thomas C. and Mary Oakley on June 24, 1932. As a young person, he began his career as a carrier boy for the Quincy Herald-Whig. In summers, he worked for Quincy Broadcasting and the Quincy Herald-Whig.

After graduating from Quincy High School in 1950, Tom earned a bachelor's degree in economics from Duke University and joined the U.S. Air Force in 1954. He served for 3 years, 2 of them flying a B-47 bomber with the Strategic Air Command. Tom was honorably discharged with the rank of first lieutenant in 1957 and was a captain in the Inactive Reserves. In 1958, he returned to Quincy and the family business.

Tom became the president and CEO of Quincy Media in 1969, following the death of his father. Under his leadership, he led the company through decades of growth, adding television stations in several markets and one additional newspaper. Tom also championed efforts to improve the Quincy infrastructure. He used his personal leadership and expanding media outlets to promote improving the quality of life in the region.

For more than 60 years, Tom worked toward developing a highway for the Tri-States, which had been bypassed by the Eisenhower era infrastructure boom. He was on an untold amount of committees throughout his life. Tom helped found the Joint Industrial Development Commission, the first unified effort to build the economy of the Tri-State region. This was a predecessor of the Great River Economic Development Foundation, which remains a driving force to improve Quincy and Adams County.

Tom made things happen. Every Governor since Otto Kerner, who was elected in 1960, heard about the Western Illinois highway needs from Tom. He was instrumental in securing funds to complete the Central Illinois Expressway from Springfield to the Mississippi River at Hannibal, the Chicago to Kansas Expressway, and the Avenue of the Saints from St. Louis to Minneapolis. There is now a four-lane bridge over the Mississippi River at Hannibal, too. He threw his weight behind projects to