

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Vermont (Mr. LEAHY) and the Senator from Oregon (Mr. MERKLEY) are necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Texas (Mr. CORNYN).

Further, if present and voting, the Senator from Texas (Mr. CORNYN) would have voted “yea.”

The yeas and nays resulted—yeas 95, nays 1, as follows:

[Rollcall Vote No. 282 Ex.]

YEAS—95

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

NAYS—1

Hawley

PRESENT—1

Paul

NOT VOTING—3

Cornyn	Leahy	Merkley
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The PRESIDING OFFICER (Mr. OSBOFF). On this vote, the yeas are 95, the nays are 1, and one Senator responded present.

Two-thirds of the Senators present, a quorum being present, having voted in the affirmative, the resolution of ratification is agreed to.

The resolution of ratification agreed to is as follows:

Resolved, (two-thirds of the Senators present concurring therein).

SECTION 1. SENATE ADVICE AND CONSENT SUBJECT TO DECLARATIONS AND CONDITIONS.

The Senate advises and consents to the ratification of the Protocols to the North Atlantic Treaty of 1949 on the Accession of the Republic of Finland and the Kingdom of Sweden, which were signed on July 5, 2022, by the United States of America and other parties to the North Atlantic Treaty of 1949 (Treaty Doc. 117-3), subject to the declarations of section 2 and the condition of section 3.

SEC. 2. DECLARATIONS.

The advice and consent of the Senate under section 1 is subject to the following declarations:

(1) Reaffirmation That United States Membership in NATO Remains a Vital National Security Interest of the United States.—The Senate declares that—

(A) for more than 70 years the North Atlantic Treaty Organization (NATO) has served as the preeminent organization to defend the countries in the North Atlantic area against all external threats;

(B) through common action, the established democracies of North America and Europe that were joined in NATO persevered and prevailed in the task of ensuring the survival of democratic government in Europe and North America throughout the Cold War;

(C) NATO enhances the security of the United States by embedding European states in a process of cooperative security planning and by ensuring an ongoing and direct leadership role for the United States in European security affairs;

(D) the responsibility and financial burden of defending the democracies of Europe and North America can be more equitably shared through an alliance in which specific obligations and force goals are met by its members;

(E) the security and prosperity of the United States is enhanced by NATO's collective defense against aggression that may threaten the security of NATO members; and

(F) United States membership in NATO remains a vital national security interest of the United States.

(2) Strategic Rationale for NATO Enlargement.—The Senate declares that—

(A) the United States and its NATO allies face continued threats to their stability and territorial integrity;

(B) an attack against Finland or Sweden, or the destabilization of either arising from external subversion, would threaten the stability of Europe and jeopardize United States national security interests;

(C) Finland and Sweden, having established democratic governments and having demonstrated a willingness to meet the requirements of membership, including those necessary to contribute to the defense of all NATO members, are in a position to further the principles of the North Atlantic Treaty and to contribute to the security of the North Atlantic area; and

(D) extending NATO membership to Finland and Sweden will strengthen NATO, enhance stability in Europe, and advance the interests of the United States and its NATO allies.

(3) Support for NATO's Open Door Policy.—The policy of the United States is to support NATO's Open Door Policy that allows any European country to express its desire to join NATO and demonstrate its ability to meet the obligations of NATO membership.

(4) Future Consideration of Candidates for Membership in NATO.—

(A) Senate Finding.—The Senate finds that the United States will not support the accession to the North Atlantic Treaty of, or the invitation to begin accession talks with, any European state (other than Finland and Sweden), unless—

(i) the President consults with the Senate consistent with Article II, section 2, clause 2 of the Constitution of the United States (relating to the advice and consent of the Senate to the making of treaties); and

(ii) the prospective NATO member can fulfill all of the obligations and responsibilities of membership, and the inclusion of such state in NATO would serve the overall political and strategic interests of NATO and the United States.

(B) Requirement for Consensus and Ratification.—The Senate declares that no action or agreement other than a consensus decision by the full membership of NATO, approved by the national procedures of each NATO member, including, in the case of the United States, the requirements of Article

II, section 2, clause 2 of the Constitution of the United States (relating to the advice and consent of the Senate to the making of treaties), will constitute a commitment to collective defense and consultations pursuant to Articles 4 and 5 of the North Atlantic Treaty.

(5) Influence of Non-NATO Members on NATO Decisions.—The Senate declares that any country that is not a member of NATO shall have no impact on decisions related to NATO enlargement.

(6) Support for 2014 Wales Summit Defense Spending Benchmark.—The Senate declares that all NATO members should spend a minimum of 2 percent of their Gross Domestic Product (GDP) on defense and 20 percent of their defense budgets on major equipment, including research and development, by 2024, as outlined in the 2014 Wales Summit Declaration.

SEC. 3. CONDITION.

The advice and consent of the Senate under section 1 is subject to the following conditions

(1) Presidential Certification.—Prior to the deposit of the instrument of ratification, the President shall certify to the Senate as follows:

(A) The inclusion of Finland and Sweden in NATO will not have the effect of increasing the overall percentage share of the United States in the common budgets of NATO.

(B) The inclusion of Finland and Sweden in NATO does not detract from the ability of the United States to meet or to fund its military requirements outside the North Atlantic area.

SEC. 4. DEFINITIONS.

In this resolution:

(1) **NATO Members.**—The term “NATO members” means all countries that are parties to the North Atlantic Treaty.

(2) **Non-NATO Members.**—The term “non-NATO members” means all countries that are not parties to the North Atlantic Treaty.

(3) **North Atlantic Area.**—The term “North Atlantic Area” means the area covered by Article 6 of the North Atlantic Treaty, as applied by the North Atlantic Council.

(4) **North Atlantic Treaty.**—The term “North Atlantic Treaty” means the North Atlantic Treaty, signed at Washington April 4, 1949 (63 Stat. 2241; TIAS 1964), as amended.

(5) **United States Instrument of Ratification.**—The term “United States instrument of ratification” means the instrument of ratification of the United States of the Protocols to the North Atlantic Treaty of 1949 on the Accession of the Republic of Finland and the Kingdom of Sweden.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's actions.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

The PRESIDING OFFICER. The Senator from Pennsylvania.

MORNING BUSINESS

Mr. CASEY. Mr. President, I ask unanimous consent that the Senate be in a period of morning business for debate only, with Senators permitted to speak therein for up to 10 minutes each.

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

UNANIMOUS CONSENT REQUEST—
EXECUTIVE CALENDAR

Mr. CASEY. Mr. President, I rise today to speak about the nomination of Robert Gordon. Earlier this year, Mr. Gordon had strong bipartisan support in the Finance Committee when his nomination came to a vote. Mr. Gordon is President Biden's nominee to serve as the Department of Health and Human Services Assistant Secretary for Financial Resources, and he has a long history of dedication to public service.

More recently, he served as director of the Department of Health and Human Services for the State of Michigan. He played a central role in the State's pandemic response and managed an agency of 14,000 employees and a multibillion-dollar budget.

Before that, he held senior roles in the U.S. Department of Education and the Office of Management and Budget, where he championed evidence-based policymaking to use taxpayer dollars wisely.

Earlier in his career, Mr. Gordon served as a senior official at the New York City Department of Education. He was a senior aide on Capitol Hill, a law clerk for Justice Ruth Bader Ginsburg, and a White House aide.

In his time at the White House, he supported the development of the AmeriCorps program.

In his long career in public service, he has worked to ensure that government programs work for those they serve and that they do so through responsible use of taxpayer dollars. Such experience is essential to the work of the Assistant Secretary for Financial Resources at the Department of Health and Human Services.

HHS has responsibility for critical programs like Medicare, Medicaid, and the Children's Health Insurance Program, just to name a few. The Assistant Secretary for Financial Resources must ensure that these programs and many others under the umbrella of the Department remain strong for future generations.

I ask unanimous consent that, as if in executive session, the Senate consider the following nomination: Calendar No. 762, Robert Michael Gordon, to be Assistant Secretary of Health and Human Services; that the Senate vote on the nomination, without intervening action or debate; that if confirmed, the motion to reconsider be considered made and laid upon the table and that the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Is there objection?

The Senator from Tennessee.

Mr. HAGERTY. Mr. President, reserving the right to object, since last year, I have been asking for a commitment from my Democratic colleagues that any future reconciliation legislation in this Congress will not incorporate policies that will reduce access to care in nonexpansion States, such as Tennessee.

Specifically, my concern is that the reconciliation legislation that the House of Representatives passed last fall, which is the very vehicle for the reconciliation bill currently being discussed in the Senate, included provisions that cut DSH and uncompensated care pool payments for nonexpansion States. This would result in less healthcare for vulnerable populations in my State, it would accelerate hospital closures, and it would disadvantage rural communities. These are places and populations for which we are trying to secure more quality healthcare, not less.

Because I still have not received confirmation that these provisions will not be included in the final text of the partisan reconciliation bill, I cannot consent to expediting confirmation of this nominee and, therefore, I object.

The PRESIDING OFFICER. The objection is heard.

The Senator from Pennsylvania.

Mr. CASEY. Mr. President, I want to respond, at least preliminarily, to my friend from Tennessee. I appreciate his advocacy for hospitals in his home State of Tennessee. So given that he is seeking this assurance about these disproportionate share hospital payments, my understanding is that the reconciliation bill we are about to consider this week does not contain any provisions that are directly relevant and any provision that would impact these disproportionate share hospitals or uncompensated care pool funding.

So given that and given that he is seeking this specific assurance about the pending reconciliation bill—and I think it is evident or will become evident that the bill does not contain these DSH provisions or uncompensated care payment cuts—I would ask him just this question, if he would entertain this question: If the Senate does pass a reconciliation bill, which I hope will be by the end of this week, and that bill is then subsequently enacted into law, will he lift his objection and allow this and other relevant HHS nominations to be confirmed by unanimous consent?

Mr. HAGERTY. Mr. President, I would like to respond to my friend from Pennsylvania.

That is a very reasonable request. We are getting ready to go through a process of which I have not yet seen the text—an amendment process that is hard to anticipate—and dread to think that there would be another wrap-around, that that could happen as well. But assuming that we get to an end point and this language that I have discussed is not in the bill—the same language that the House included is not in this bill—I would be more than happy to lift my objection.

Mr. CASEY. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

REMEMBERING JACKIE WALORSKI

Mr. YOUNG. Mr. President, I come to the floor this evening, first, wanting to take a moment to join Senator BRAUN in remembering a good friend to each of us, our colleague Congresswoman JACKIE WALORSKI. She tragically passed away in a horrible car accident earlier today.

I, for one, am truly devastated. I know that JACKIE loved the State of Indiana. She loved the Hoosiers throughout the State. She had an incredible sense of humor, incredibly smart, and was so talented in many ways. And she will be missed.

I join countless Hoosiers, and I know that Senator BRAUN is, in praying for her husband Dean, for her entire family, and for all those who came to love and respect JACKIE.

I know that so many throughout the State are mourning her passing this evening, and so many will have important things to say about their interaction with her and how fond they were of her.

It also should be said that two other Hoosiers passed in this horrible accident, members of her dedicated staff: Emma Thomson and Zach Potts. We pray for all of them.

CONDEMNING THE ATTACK THAT OCCURRED IN GREENWOOD, INDIANA, ON JULY 17, 2022

Mr. YOUNG. Mr. President, today, we are also on the floor to talk about a different tragedy in the State of Indiana. On July 17, there was a terrible shooting that occurred at the Greenwood Park Mall, just miles from my home, which resulted in the death of three innocent victims.

Now, it could have easily been one of my neighbors or our friend, or, I remind myself, it could have been a member of my family who passed away there in the food court on that very day.

As this resolution that we are introducing today states, the U.S. Senate condemns this shooting and any violent action that seeks to bring harm to other individuals. We grieve the loss of fellow Hoosiers Victor Gomez and Pedro and Rosa Pineda, and we pray for their families. But we are also grateful for the heroes on the scene that day, for the first responders, our healthcare workers, as well as a young man named Eli Dicken.

Eli was in the food court that evening. He was legally carrying his own firearm, and when the shooting began, he used his weapon to bring down the shooter. Were it not for his poise during those brief moments, his brave and selfless actions, this shooting would have been far worse. So I ask all my fellow Americans to remember the victims and the heroes of this tragedy, and I urge passage of this resolution.

The PRESIDING OFFICER. The Senator from Indiana.