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House of Representatives

The House was not in session today. Its next meeting will be held on Tuesday, February 1, 2022, at 12 p.m.

Senate

MONDAY, JANUARY 31, 2022

The Senate met at 3 p.m. and was called to order by the President pro tempore (Mr. LEAHY).

PRAYER

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

Let us pray.

Eternal God, answer us in our trouble and protect us with Your mercies. We celebrate Your triumphs in our history, believing that victory belongs to You alone. Lord, we have relied on You since the birth of this Nation, and You will always be our God. We have trusted in Your power through the seasons of our lives, so do not abandon us.

Lord, when our lawmakers stumble and fall, help them to rise and stand firm. Continue to rule the nations of Your world.

We pray in Your powerful Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

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

RESERVATION OF LEADER TIME

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

CONCLUSION OF MORNING BUSINESS

The PRESIDENT pro tempore. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

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

The legislative clerk read the nomination of Bridget Meehan Brennan, of Ohio, to be United States District Judge for the Northern District of Ohio.

Ms. HIRONO. Mr. President, I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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 Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. HIRONO). Without objection, it is so ordered.

JANUARY 6

Mr. LEAHY. Madam President, I couldn't help but think today that the distinguished Presiding Officer and I both had the opportunity to be prosecutors. And I thought today about prosecutors—I listened to what former President Donald Trump said. I listened to him with horror and disbelief, especially when I saw it on television,

and he was obviously reading his words off a teleprompter and knew exactly what he was saying.

He basically said that if he was re-elected, he would be inclined to give Presidential pardons to the people who stormed the U.S. Capitol a year ago, January 6—the people who came in here as insurrectionists; the people who came in here doing enormous damage and injuries; the people who caused many to die; the people who set up a gallows outside the Capitol with a noose on it with Vice President Pence's name on it, saying that if he is not willing to ignore the law and suddenly give the Presidency to Donald Trump, a man who had lost by millions of votes, this is what he deserved, the gallows.

It is the sort of thing that if you saw it in a B-rated horror movie, you would say this is so unbelievable, but here it is real.

You had people committing terrible crimes—destruction of property, injuries to people, trying to kill and eventually did kill police officers. I remember that day, and I am sure the Presiding Officer does, because we were all on the floor of the Senate as the Vice President was rushed off the dais where the Presiding Officer is right now and where I opened the U.S. Senate just minutes ago.

And then, before we knew what was going on, we suddenly saw several other plainclothes police officers come in here and a big one in a uniform carrying a submachine gun with a vest that said "POLICE." We were told we had to leave and go to the safe room and were escorted out by armed police

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



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officers. If it weren't for some of the brave operations of these officers, we had Members of both parties who could have been victims of the mob.

And just minutes after we were escorted from here, this place was stormed by some who thought it was the House of Representatives. I mean, they just obviously had been inspired to come up here and storm the Capitol. They wanted the election turned over at the request of Donald Trump to give it to him even though he had lost. And I thought—I never thought I would see something like this.

I remember when I was a young law student at Georgetown Law School, I would come up here and sit in the Gallery and watch this place, this body, and watch both Republicans and Democrats debate everything from civil rights to voting rights and routine matters. I thought, "What a place to be." These extraordinary Senators from both parties from all over the country speaking about the laws and the Constitution of our country.

I remember, even after I went back to Vermont after I was practicing law and became a prosecutor, I thought of the days I was here with my parents and others just watching this body and how thrilled I was when I came here, thinking the U.S. Senate can and should be the conscience of the Nation. And then I looked on television and saw a man who was decisively defeated for reelection to the Presidency, saying to his followers: If I am elected President again, I can pardon all these criminals who came in here, these insurrectionists—people, actually, many whom it is very clear were encouraged to come here and storm the Capitol at his request.

We are a nation of laws. We are not a nation of individuals; we are a nation of laws. And we survive as a nation and we excel as a nation if we follow the law, if all of us do. On the Senate floor, we can debate. Both parties can disagree on things, and we do often. I think we all believe in the fact that we have laws, and you must follow them.

When I was a prosecutor, I thought, if somebody broke the law, there are consequences for it. I cannot imagine what it would have been like as a young prosecutor if I heard somebody running for high office in my State—in this case, a Governor—who said: Go ahead. Break every law you can to help me get elected because I will pardon you as soon as I get in there. I think I would be before a grand jury pretty quickly talking about that candidate. Yet that is what we see.

How could anybody be so blinded to what this Nation is that they will ignore what this Nation is? How can anybody be so blinded to the laws of this country that they can ignore those laws? How can anybody be so blinded to our Constitution that they can ask people to violate the Constitution?

"Commit crimes in my name, and don't worry, I will take care of you. I will make sure you are pardoned."

This country has to get back to—Republicans and Democrats alike—believing in the rule of law. Disagree if we want, disagree at the ballot box, but follow the law and stop giving the impression to the rest of the world that we are some kind of a pending dictatorship, where the law and the Constitution are set aside for the whim of whoever is elected.

I will speak more on this at another time. I know the distinguished Presiding Officer has spoken out on this matter before. I greatly admire what she has said, and I will continue to speak out.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MAJORITY LEADER

The majority leader is recognized.

TRIBUTE TO STEPHEN G. BREYER

Mr. SCHUMER. Madam President, last Thursday, Associate Justice Stephen Breyer announced that after 27 years of service, he will retire from the Supreme Court at the conclusion of this term.

Shortly after his nomination was first announced in 1994, then-Judge Breyer mused publicly about what he expected his time on the High Court would bring. He told reporters it was his hope to "make the average person's ordinary life better." Nearly three decades later, we can safely say that Justice Breyer has met that mark and then some.

Throughout American history, only 115 individuals have sat on the Nation's High Court, and few have served as long and as effectively as Justice Breyer. From his opinions on voting rights, environmental protections, women's reproductive freedom, and protecting access to affordable healthcare, Justice Breyer's impact upon our Nation will last for generations. America is a more perfect Union today because of Justice Stephen Breyer.

Of course, Justice Breyer's legacy of service extends beyond even his remarkable time on the Supreme Court. For 13 years, he also sat on the U.S. Court of Appeals for the First Circuit. Before that, he served for 8 years as a member of the Army Reserves. And, of course, Members of this Chamber cannot forget that he was once a part of the Senate itself, serving as an aide on the Judiciary Committee in the seventies, where he worked closely with our dear friend, the late Senator Ted Kennedy. At every step of the way, he remained his essential self—decent, brilliant, and dedicated to our democracy.

Now, with this new vacancy on the Court, President Biden will have an opportunity to make history by nominating the first ever Black woman to

serve on the Supreme Court. I am confident that the President will select an outstanding individual to fill Justice Breyer's seat, and we intend to move quickly on our constitutional duty to act on his nominee when announced. I can assure all Senators that the Senate will have a fair process that moves quickly so we can confirm President Biden's nominee to fill Justice Breyer's seat as soon as possible.

Today, Members of this Chamber say thank you to Justice Breyer for his lifetime of public service.

AMERICA COMPETES ACT OF 2022

Now, Madam President, as our country continues to recover from the darkest days of the COVID-19 pandemic, last week, we received a remarkable bit of news: The U.S. economy grew 5.7 percent—5.7 percent in 2021.

Let me say it again. Last year, the U.S. economy grew by 5.7 percent—the largest single-year growth rate in about 40 years.

Last year's economic growth did not happen on its own. Faced with a historic crisis, Democrats took unprecedented steps in 2021 to give American families and businesses the support they needed to make ends meet and stay healthy. Although we have more work to do to lower costs and expand opportunity, we are undeniably better off today than we were a year ago when we first took office as a majority Senate.

It is frightening to merely remember how bad things were at the start of 2021. We were entering the very worst of the pandemic. The economy had its worst year since World War II, and 11 million people were out of work. More than 3,000 Americans were dying each day from COVID-19.

But Democrats responded by passing the American Rescue Plan 2 months into the President's term. We later passed a historic infrastructure package that is putting people to work fixing our roads and our bridges and our highways. Thanks to the heroism of health workers, the leadership of the Biden administration, and action taken by congressional Democrats, over 200 million Americans have now been vaccinated.

Because of these steps that Democrats took last year, unemployment has plummeted faster than many forecasts predicted a year ago, to below 4 percent. The economy added the largest number of manufacturing jobs in three decades. As wages keep climbing, layoffs are near record lows.

Make no mistake, this economy is in the midst of a historic turnaround, thanks in large part to swift action by Democrats in the Congress and in the White House, but, of course, the work is far from over. We must keep working to lower costs for American families. We need to help businesses struggling with strained supply chains, particularly the chip shortage affecting everything from auto manufacturing to household appliances. Workers need protections to ensure they share in our continued economic recovery.