

That is why Congress must keep working on legislation like the United States Innovation and Competition Act, which the Senate passed last year with strong bipartisan support. This week, the House will hold a vote to pass their counterpart to this bill, the America COMPETES Act. I am glad the House is taking this important step in the right direction. When the America COMPETES Act passes, the House and Senate can begin the bicameral process of resolving the differences in each bill and send a final product to the President's desk.

With historic investments in science, technology, and American manufacturing, the policies of USICA represent the boldest steps in decades to secure America's economic future.

By bringing manufacturing back to the United States from overseas, it would strengthen domestic supply chains and help address our country's dangerous semiconductor shortage that has driven up prices in everything from cars to microwaves.

All this would not only relieve rising costs by making us less reliant on foreign manufacturing; it would also advance our national security.

This legislation would help fix our country's dangerous semiconductor shortage that has driven prices up in everything from cars to microwaves by strengthening domestic supply chains and by increasing production. It would not only relieve rising costs; it would also advance our national security.

For months—months—I have spoken with both my Republican and Democratic colleagues about finding a way to get this bill to the President's desk.

Now I am glad that the House will take action later this week on their version of this legislation, and I look forward to working through this bill so that President Biden can finally sign this landmark manufacturing and innovation bill into law.

BUSINESS BEFORE THE SENATE

Madam President, on other Senate business, over the next few weeks there are other crucial priorities that the Senate must also attend to. As we return to this work period, discussions among Senate Democrats on BBB will continue.

We will also work on nominations. At the end of the last work period, I filed cloture on 20 nominees to serve in both the Biden administration and on our Federal courts. Later today, we will hold a cloture vote on the first of these nominees, Ms. Bridget Brennan, to serve as a district judge for the Northern District of Ohio. And over the course of this week, we will work to get these men and women confirmed as quickly as possible.

Among the 20 individuals I filed cloture on, that includes one nominee for the U.S. Court of Appeals; several Federal district judges; several judges to serve in Washington, DC, Superior Court; the nominee to serve as U.S. Ambassador to Germany; and many other highly qualified men and women

to serve in the Department of Defense, the Export-Import Bank, and the U.S. International Development Finance Corporation. We are going to work until we confirm all of these crucial nominees, and I look forward to working in good faith with the other side to get them done.

Finally, in this work period, the Senate will also work on the vital task of passing an omnibus package to fund the Federal Government, prevent a shutdown, and make sure the Federal Government is well-equipped to serve the American people. I will sit down with a number of Democratic appropriators tomorrow to discuss the state of negotiations, and I want to thank all of the appropriators for their hard work in bringing the funding package together. We are going to work day and night to bring a funding package together, avoid a shutdown, and make sure Congress fulfills this basic duty to the American people.

I yield the floor.

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. McCONNELL. Madam President, 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 MINORITY LEADER

The Republican leader is recognized.

KENTUCKY

Mr. McCONNELL. Madam President, Senators spent last week in our home States. We got to hear firsthand updates about the real issues facing real families that we all represent. I was especially glad to return to Western Kentucky to keep working on our recovery from the catastrophic tornadoes that hammered our State in mid-December.

Kentuckians are tough. They are resilient. But many are still reeling from the impact of these storms. They have lost homes, businesses, even loved ones.

I spent last week meeting with local leaders, small business owners, and Kentuckians in the hardest hit areas. We talked about our work here in Washington and the help they can expect to receive from us.

Kentuckians in the affected areas have been grateful for the quick and efficient way that FEMA has begun distributing recovery aid. We know recovery will be a very long process, but my office and I will be standing with our people every step of the way.

And the entire State is excited to improve our roads, bridges, railways, and broadband thanks to the bipartisan infrastructure deal that Congress struck last year.

But like working people across America, Kentuckians also have serious concerns about significant headwinds. Kentucky families are feeling the pain of the worst inflation in 40 years. Our country has been hammered by 7 percent inflation over just the past year. Employers are trying hard to keep up.

Even as they face inflation across all their expenses, businesses across our region have significantly upped their spending on wages and benefits, and many workers have gotten raises. But, actually, it is only on paper because the historic inflation on the Democrats' watch has more than canceled the average increase in wages. Inflation is turning pay raises into pay cuts. This is just one of the many significant problems we confront.

BIDEN ADMINISTRATION

Madam President, after a year of record-setting bloodshed in America's streets, violent crime is still forcing too many to live in fear.

The historic humanitarian and security crisis that unfolded at our southern border on Democrats' watch has actually gotten only worse.

The Biden administration's war on affordable and reliable American energy has put consumers in a bind.

And half a world away, in multiple regions, growing storm clouds are darkening the international stage with major implications for America and for our allies. Across the Middle East, from proxy terrorist attacks to nuclear and missile development, Iran keeps reminding us it has no intention of playing by the rules.

In Eastern Europe, Vladimir Putin himself is spelling out the reality of Russia's threat to the international order, one armored vehicle at a time.

I am encouraged that President Biden finally appears inclined to reinforce Eastern European treaty allies with U.S. forces, and those deployments must take place sooner rather than later. And other NATO allies should join us in defending our eastern flank allies.

Likewise, American and allied efforts to support Ukraine's ability to defend itself must occur not at the speed of bureaucracy but at the speed of relevance. Unfortunately, Washington Democrats have spent months focused on one distraction after another from these pressing challenges.

Months before Russia began massing forces for an invasion of Ukraine, our colleagues on the Armed Services Committee produced a bipartisan Defense authorization bill that would reassert our commitments to our allies and partners in Eastern Europe, as well as Asia, and help our own forces stay on the cutting edge of competition with China and Russia.

But instead of moving this legislation forward to prompt passage, the Democratic leader left the NDAA in limbo until almost the last minute.

In the meantime, Senate Democrats spent months trying to assemble a massive reckless taxing-and-spending spree, packed with policies that nobody was asking for outside of the radical left. Our citizens were fighting for their economic lives, trying to fight off gas prices, grocery prices, car prices, housing prices, and here Democrats were claiming the way out of inflation was to spend trillions on windmills and welfare.

And, of course, the multitrillion-dollar debt explosion wasn't even the most radical thing Democrats have recently tried to ram through.

Earlier this month, the vast majority of Senate Democrats tried to break—break—this Chamber's most fundamental rule for the sake of appointing themselves the entire country's board of elections on steroids.

Well, I hope our friends across the aisle can spend 2022 recommitting themselves to the actual problems that families are facing on their watch. This razor-thin Senate majority owes the American people at least that much.

TRIBUTE TO STEPHEN G. BREYER

Madam President, on a final matter, last week, Justice Stephen Breyer announced his plans to retire from the Supreme Court at the conclusion of this term.

Justice Breyer deserves our country's hearty congratulations. By this summer, he will have dedicated more than four decades of service to the Federal judiciary, including 28 years on our highest Court. During this time, the Justice has won respect and admiration from across the legal profession.

One does not have to agree with the substance of Justice Breyer's legal philosophy or the conclusions he has reached in many cases to appreciate the service he has rendered to the Court and to our country.

He is universally regarded as a careful and committed jurist. He is a top-shelf legal expert and intellectual heavyweight. In fact, Justice Breyer has published prolifically even beyond his caseload. Over the decades, the Justice has spent many hundreds of published pages transparently laying out his legal philosophy and thinking through scholarly questions in public view.

Most of all, I admire Justice Breyer's staunch defense of the institution of the Supreme Court itself in the face of increasingly reckless rhetoric from loud voices on the political left who would like to consider themselves intellectually aligned with Justice Breyer.

The Justice proved that, in fact, they are not. He has been a loud and consistent opponent of disastrous ideas such as modern Democrats' partisan Court-packing proposals that would destroy public trust and deal a permanent blow to the rule of law.

So my warm best wishes are with Justice Breyer, his wife Joanna, and the Breyer family as the Justice concludes his term and his truly remarkable tenure.

Naturally, the country's focus now turns to the next chapter for the Court, which President Biden and the Senate will author together.

For now, I will simply note a basic fact: President Biden was elected on the specific promise to govern from the middle, steward our governing institutions, and unite a divided country. Underscoring that point, the American people handed President Biden a dead-even Senate, 50-50.

I suggest that President Biden bear this in mind as he considers whom to nominate to our highest Court. The American people deserve a nominee who has demonstrated reverence for the written text of our laws and our great Constitution.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Madam President, in keeping with the remarks of the Republican Senate leader, I would like to start with recognition of Supreme Court Justice Stephen Breyer's contribution to America.

On July 12, 1994, a court of appeals judge named Stephen Breyer appeared before the Senate Judiciary Committee. It was the first day of his Supreme Court confirmation hearing. As he began speaking, Judge Breyer laid out his view of the law and its role in maintaining the fabric of American life.

He said: "I believe the law must work for people."

He argued that our Nation's vast web of "Constitution, statutes, rules, regulations, practices and procedures . . . has a single basic purpose."

That purpose, he said, "is to help the many different individuals who make up America, from so many different backgrounds and circumstances, with so many different needs and hopes, live together productively, harmoniously, and in freedom."

In his nearly three decades on the Supreme Court, Justice Stephen Breyer has lived by those words. He has helped ensure that the law is a force for good, a force for unity, and a force for freedom and equality.

So, for me, I have truly mixed feelings as I stand here today and look back on the incredible legacy of Justice Breyer, who announced last week that he would retire at the end of this term.

And what a legacy he leaves.

Born in San Francisco, Stephen Breyer attended Stanford University and Harvard Law, and just 3 years after graduating from Harvard, he returned to the school as a professor, a role in which he inspired a generation of jurists, public servants.

He held a few other occupations as well. He served our country as a corporal in the U.S. Army and in the Army Reserve. He was a clerk for Supreme Court Justice Arthur Goldberg, a member of the Watergate special prosecutor's office, and chief counsel to the Senate Judiciary Committee, which I am honored to chair. From there, he was appointed to the U.S. Court of Appeals for the First Circuit, where he served for nearly 14 years before his confirmation to the U.S. Supreme Court.

And I might add, for the record, his vote on confirmation to the Court was 89 to 7. It was a remarkable showing of strength and support for a man whose politics were clear, as he served with Ted Kennedy on the Senate Judiciary Committee as his lead counsel for many years.

Justice Breyer's record when he came to the Supreme Court was nothing short of awe-inspiring. From voting rights to women's reproductive freedom, from criminal justice to consumer protection, from campaign finance to immigration, Justice Breyer's voice has been powerful, pragmatic, thoughtful, and enduring, whether in the majority or in dissent.

Consider, for instance, Justice Breyer's dissenting opinion in the 1995 case, *United States v. Lopez*. In that case, the Court's conservative majority overturned the Gun-Free School Zones Act, finding that the statute exceeded Congress's power under the commerce clause, a clear departure from existing, standing precedent. In his dissent, Justice Breyer melded sound constitutional interpretation with his signature pragmatism. Citing the facts and the law, he methodically explained how the widespread problems caused by gun violence in and around schools clearly affected and threatened commerce.

He concluded: "Holding that the particular statute before us falls within the commerce power would not expand the scope of the Clause. Rather, it would simply apply preexisting law to changing economic circumstances. It would recognize that, in today's economic world, gun-related violence near the classroom makes a significant difference in our economic as well as our social well-being."

That was one of the many opinions that captured Breyer's vision of the law as a force for productivity, for harmony, and for the well-being of the American people.

Fast forward 20 years. The case was *Glossip v. Gross*. In that case, they challenged a form of lethal injection as violating the Eighth Amendment's ban on cruel and unusual punishment. The Court's conservative majority rejected the challenge. But once again, Justice Stephen Breyer responded with conscience and clarity. With his keen analysis and pragmatic reasoning, he explained the constitutional infirmities of the death penalty. He wrote: "Nearly 40 years ago, this Court upheld the death penalty under statutes that, in the Court's view, contained safeguards sufficient to ensure that the penalty would be applied reliably and not arbitrarily. The circumstances and the evidence of the death penalty's application have changed radically since then. Given those changes, I believe it's now time to reopen the question."

Let me say, parenthetically, it is interesting for me to note how many Supreme Court Justices, late in their term, facing retirement or nearing it, reflected on the death penalty. Justice Blackmun was another. And it says to me that these cases that they decided, once with an eye towards consistency, weighed on their consciences, and they came to conclude that the death penalty truly needed to be questioned under our constitutional values.

Justice Breyer, in that case, recognized that in our system of justice,