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House of Representatives

The House was not in session today. Its next meeting will be held on Tuesday, September 13, 2022, at 2 p.m.

Senate

MONDAY, SEPTEMBER 12, 2022

The Senate met at 3 p.m. and was called to order by the Honorable MAZIE K. HIRONO, a Senator from the State of Hawaii.

PRAYER

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

Let us pray. Eternal God, who hears our prayers, we praise Your righteous Name. Lord, You are the God who listens even to our groans as we bring our requests to You.

Lord, we thank You for the life and legacy of Queen Elizabeth II and request Your blessings upon King Charles III. Guide him with Your wisdom and keep him on the path of integrity. We also pray for our Senators. Sustain them with Your unfailing love, making Your way plain for them to follow. Protect them from the enemies of freedom, for You have promised to be a shield for the godly.

We pray in Your loving Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer 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.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, September 12, 2022.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MAZIE K. HIRONO, a Senator from the State of Hawaii, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Ms. HIRONO thereupon assumed the Chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

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

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

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

The legislative clerk read the nomination of Lara E. Montecalvo, of Rhode Island, to be United States Circuit Judge for the First Circuit.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

JUDICIAL NOMINATIONS

Mr. SCHUMER. Madam President, the Senate gavels back into session to consider more Federal judges, continue working to fund the government, and to find a path forward to protect marriage equality and other critical issues.

Later this afternoon, the Senate will vote on the confirmation of Judge Salvador Mendoza to serve a lifetime appointment on the Ninth Circuit Court of Appeals. The child of Mexican immigrant farmworkers, Mr. Mendoza was the first Latino judge to ever serve in the Eastern District of Washington.

And if confirmed today, he would be the first Latino from the State of Washington ever to sit on the Ninth Circuit. In 2014, the Senate confirmed Mr. Mendoza with an overwhelming bipartisan vote, 92 to 4. Today, it should be no different.

If confirmed, Judge Mendoza's elevation will be significant for another reason. He would be the 80th, the 80th—8-0—judicial nomination confirmed under President Biden. That is more judges confirmed under President Biden than were confirmed by this point under President Trump, President Obama, and President Bush. It is something we Democrats are very proud of because the impact of these judges will last for years, if not decades.

And we are by no means done. After Judge Mendoza is confirmed, we will turn to the nomination of Arianna Freeman to serve as circuit judge for

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



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the Third Circuit. She would be the fourth circuit judge nominee we would consider since the beginning of this work period.

Let me say that again. We are going to begin considering the fourth circuit court nominee since we returned from the August State work period. I said judges would be a priority, and this is what that looks like.

And it is my intention, as majority leader, to keep the Senate focused on judges this week and beyond. Our fundamental rights and our democracy itself depend on it.

RESPECT FOR MARRIAGE ACT

Madam President, now, on marriage, off the Senate floor, my colleagues continue to have good conversations on very important legislation to codify marriage equality into law. Far from being a theoretical exercise, codifying marriage equality would have a dramatic long-term impact on millions of people.

At a time when our rights are under siege, it would be a much needed shield for scores of Americans at risk of discrimination simply because of whom they love.

For many of us in this Chamber—myself included—passing marriage equality would hit home in a very personal way. I want to thank my colleagues from both sides of the aisle—especially Senators BALDWIN, COLLINS, and SINEMA—for all the work they are doing to build support for marriage equality legislation.

Over the past several months, I have given them the time and space they have requested to have these talks because I want their efforts to succeed. I know their work is not yet done, and I encourage them to keep going. I truly hope, for the sake of tens of millions of Americans, that there will be at least 10 Republicans who will vote with us to pass this very important bill.

We cannot forget that a mere decade ago—a mere decade ago—marriage discrimination was the law in much of the country. While we are happy that America has made a lot of progress since then, we are not naive in thinking we can't go backward. As we saw earlier this year, it took the Supreme Court just a few weeks to unravel decades of vital precedent on women's rights, gun safety, and environmental protection. And, of course, Judge Thomas has opened the door for the Court to go even further backward when he is saying that cases like *Obergefell*, which protect marriage equality for now, should be revisited.

So when some Republicans say: Oh, this is unnecessary; it won't happen, remember that is the same thing they said about *Roe*, and look at where we are today. We should protect marriage equality now, well before the MAGA-controlled Supreme Court steps in.

So I encourage my colleagues to continue these conversations. The American people support protecting marriage rights of same-sex marriages by a large margin so let's get it done.

CONTINUING RESOLUTION

Madam President, finally, on the legislative front on the CR, both parties must work together to keep the government open beyond the September 30 deadline. As my colleagues know, negotiations continue on a CR to extend funding through about mid-December, which hopefully will give appropriators enough time to draft an omnibus funding package.

I thank Chairman LEAHY, Ranking Member SHELBY, and everyone from both sides working to keep the government open. No one wants to see a shutdown—and I know that includes my Republican colleagues—but in order to avoid a shutdown, Senate Republicans must continue working with us to resolve the issues that remain.

21ST ANNIVERSARY OF SEPTEMBER 11

Madam President, finally, on the 21st anniversary of the horrible day, 9/11, everywhere I go, whenever I am wearing a suit or a sport jacket, I wear this flag pin on my lapel, a small but constant reminder of a promise America made 21 years ago: "Never forget."

It was on that day, September 12, 2001, that having seen the horror, smelling the death in the air, hearing the horrible stories, and seeing hundreds of people lined up with poignant signs that said: "Have you seen my son, Bill?" "Have you seen my mother, Mary?" because no one knew who was alive and who wasn't—on that day, I called on Americans to wear the flag, to display it at their homes, out their windows, or at least wear it on their clothing. I have done so ever since, and every day, I look at that flag, and I think of the people who were lost and the vicious evil of those who perpetrated this awful act.

Yesterday, I joined with the Vice President, Governor Hochul, Mayor Adams, and others to honor the fallen on September 11, to grieve for those who were taken from us, and to affirm that over three decades later, though scarred and battered, our country and our democracy endure.

An eternity can pass, and yet September 11 will always feel like yesterday to me. As clearly as the Presiding Officer sits before me, I still remember what it was like to visit the wreckage a day or 2 later. The destruction, the smell, the noise was nothing like the New York I knew and loved. People, as I mentioned, lined up along the sidewalks hoisting makeshift signs that asked the unthinkable: "Have you seen my daughter?" "Have you seen my father?" Those images, as well as the people I knew who were lost, will never leave me.

Yet in the midst of so much pain on 9/11, America encountered its best self. Ordinary people banded together to do extraordinary things. Taxi drivers, store managers, businessmen, city workers, and everyone in between, abandoned their day jobs and became heroes. They donated blood. They organized prayer vigils.

I will never forget the sight of a shoe store owner along the route, as people

escaped from the towers, handing out shoes, just depleting his entire stock so people could walk home.

People volunteered their time and resources to comfort those in need and rebuild our city to new heights, and the same is true for millions across the country.

And to our first responders and volunteers who worked the pile, we owe you such a special and undying measure of thanks. Among all our heroes of that time, they were among the greatest and the most valiant, and many of them have paid for that with their lives because the toxins that were in the air entered their lungs and digestive systems and caused cancers to the extent we have never known in those age groups before.

That is why we worked so hard in this Chamber to help provide healthcare and help for those who have lost loved ones. When we say that America will "never forget" what happened on 9/11, we mean something far more profound than recalling the memories of that awful day. It is not a passive promise, but it is an active one. It is why, 2 months ago, the Senate worked together to pass the largest expansion of veteran healthcare benefits in decades, to aid the nearly 3 million servicemembers exposed to dangerous toxins while serving in Afghanistan, Iraq, and other places around the world. And it is why we must work to replenish that Ground Zero Fund that helped pay for the healthcare of those who rushed to the towers, and we must replenish that fund in the near future.

And it is why all of us, regardless of party, must work together to defend the American way of life, to protect our precious democracy that the terrorists tried to bring down by violent means.

The world has changed dramatically since that morning that the towers fell, but the need to protect our Nation from threats, foreign and domestic, remain.

Today, 21 years after the worst terrorist attack in U.S. history, let us stay awake to the things we must do if we are to keep our promise to "never forget."

May God bless all those who died on September 11, as well as their families and all our first responders and servicemembers who made the ultimate sacrifice in defense of our great Nation.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. 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 ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The Republican leader is recognized.

INFLATION

Mr. McCONNELL. Madam President, tomorrow, the Labor Department will