

four examples of what others have said about her work.

Former U.S. District Court Judge Giles wrote:

Ms. Freeman has the character and intellectual attributes that will lead her to be a wonderful appeals court judge. She is discerning, open-minded, logical and is both a listener and contributor to debate and conversation.

A group of appellate practitioners from the Third Circuit wrote as follows:

Arianna Freeman has the strong intellect, tenacious work ethic, and even temperament necessary to become an outstanding federal judge. Her integrity and experience will ensure that she will be ready to serve from the first day.

Third example: Given Arianna's background as a Federal public defender, perhaps most important is the praise that she has received from over 20 former Federal prosecutors. One group wrote:

We are impressed by Arianna's diligence, intelligence, dedication, and integrity. It is because of her ethics and compassion, grounded in sensibility, that we are confident she will provide sound and measured opinions, while approaching each case without bias and with respect for the rule of law.

So said 20 former Federal prosecutors.

Arianna is so well respected that her nomination has garnered strong support even beyond the State of Pennsylvania, as evidenced by a letter submitted by over 30 law school professors from across the Nation who described Arianna Freeman as a "brilliant, careful, and talented lawyer with impressive professional credentials and a strong commitment to fairness, equal justice, and the rule of law."

There is no doubt that Arianna Freeman's extensive legal experience, keen intellect, and dedication to the principles of fairness and equal justice will serve the Third Circuit well. Furthermore, if confirmed, she will not only provide a critically important professional perspective to the Third Circuit as a career public defender; she will also become the first woman of color to serve on the Third Circuit and just the third active woman on that bench.

This is an important and historic nomination not only for Pennsylvania but, of course, for the entire Third Circuit Court of Appeals.

I would like to share a final passage from a letter written to the Senate Judiciary Committee by a group of law school deans from Pennsylvania, New Jersey, and Delaware, led by Professor Danielle Conway from the Penn State Dickinson School of Law. They wrote:

The nomination of Arianna J. Freeman to serve as a judge on the United States Court of Appeals for the Third Circuit is inspiring and her ultimate confirmation will be inspiring. As legislative leaders in this great society, the Committee and the full Senate will be favorably rewarded with history's account of how you worked to elevate this brilliant lawyer to the bench.

It couldn't be said any better than that. I urge her confirmation and urge my colleagues to vote yes.

I yield the floor.

#### VOTE ON FREEMAN NOMINATION

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the Freeman nomination?

Mr. SCHUMER. 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 Illinois (Ms. DUCKWORTH) and the Senator from New Hampshire (Ms. HASSAN) are necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Indiana (Mr. YOUNG).

Further, if present and voting, the Senator from Indiana (Mr. YOUNG) would have noted "nay."

The result was announced—yeas 47, nays 50, as follows:

#### [Rollcall Vote No. 333 Ex.]

##### YEAS—47

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

##### NAYS—50

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

##### NOT VOTING—3

Duckworth	Hassan	Young
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The nomination was rejected.

#### MOTION TO RECONSIDER

Mr. SCHUMER. Mr. President, I enter a motion to reconsider.

The PRESIDING OFFICER (Mr. LUJÁN). The motion is entered.

#### CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby

move to bring to a close debate on the nomination of Executive Calendar No. 1033, Lara E. Montecalvo, of Rhode Island, to be United States Circuit Judge for the First Circuit.

Charles E. Schumer, Richard J. Durbin, Robert P. Casey, Jr., Sherrod Brown, Tammy Baldwin, Tina Smith, Jeanne Shaheen, Chris Van Hollen, Elizabeth Warren, Catherine Cortez Masto, Tim Kaine, Benjamin L. Cardin, Christopher Murphy, Maria Cantwell, Christopher A. Coons, Jack Reed, Gary C. Peters, Tammy Duckworth.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Lara E. Montecalvo, of Rhode Island, to be United States Circuit Judge for the First Circuit, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Illinois (Ms. DUCKWORTH) and the Senator from New Hampshire (Ms. HASSAN) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Louisiana (Mr. CASSIDY) and the Senator from Indiana (Mr. YOUNG).

Further, if present and voting, the Senator from Indiana (Mr. YOUNG) would have noted "nay."

The yeas and nays resulted—yeas 51, nays 45, as follows:

#### [Rollcall Vote No. 334 Ex.]

##### YEAS—51

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

##### NAYS—45

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

##### NOT VOTING—4

Cassidy	Hassan
Duckworth	Young

The PRESIDING OFFICER (Ms. SINEMA). On this vote, the yeas are 51, the nays are 45.

The motion is agreed to.

## EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

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

## RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 1:13 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Ms. SINEMA).

## EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. The Senator from Wyoming.

## ENERGY

Mr. BARRASSO. Madam President, I come to the floor today to talk about the rising costs of American energy, and this morning we found out that inflation continues to burn very hot.

Prices continue to go up and up and up. Last month, they actually went up faster than even any of the economists had predicted. Since Joe Biden took office, the prices have risen now by more than 13 percent across America. That is what families are facing. And prices have been rising faster than wages for the last 17 months. So people are feeling the heat and falling further and further behind.

Today, gas prices are still nearly a dollar and a half a gallon higher than they were the day Joe Biden took office, but Democrats are patting themselves on the back because gas prices have come down from the stratospheric \$5 a gallon during the peak this summer. Well, gas is still over \$4 a gallon in lots of States, including Nevada and Washington State, and, of course, at \$5 a gallon, very few people can afford to drive. So it is no surprise the prices fell as demand plummeted.

But yet many of the Democrats are at the White House this afternoon, apparently in the thousands, to celebrate a law that just got passed here.

These price hikes, these increases in costs, this is nothing to celebrate. And so in 15 minutes, at the White House, Joe Biden is going to lead a celebration—a party—for a bill that passed along party lines.

We have a crisis of food, a crisis of energy, a crisis of rent. People cannot afford the cost of living. In terms of energy, after 2 years in power—I come today to the floor as the ranking member of the Senate Energy Committee—after nearly 2 years in power, Democrats still haven't lifted a finger to produce a drop of additional American energy, specifically oil.

Supply is down below the prepandemic peak. Joe Biden has leased the fewest acres of Federal land for energy development of any Presi-

dent since World War II—World War II. The Biden economy is hitting record numbers—40-year record-high inflation. Food prices are up higher in terms of costs of feeding your family; the rise in prices is up higher than in 40 years—and now shutting down American energy with the fewest acres of Federal land for energy development since World War II.

Now, Joe Biden had a plan. His plan was to invite dictators to sell us oil. Officials from the Biden administration went hat in hand, just a little over a year ago, to Vladimir Putin in Russia, to Iran, to Saudi Arabia, to Venezuela. The President actually went personally to Saudi Arabia to ask for more energy and more production. He went to Riyadh to beg the Saudis to sell us more oil. It didn't work.

Actually, the Saudis and the OPEC cartel announced last week that they are actually going to slash production by 100,000 barrels a day.

When President Obama was in the White House, he went on an apology tour to the Middle East. This summer, Joe Biden went on a begging tour to the Middle East. Both were a failure. Both were a waste. Both were an embarrassment to the United States.

That is delusional Democrat diplomacy for you.

Gas prices are still a dollar and a half a gallon higher since the day Joe Biden became President. Earlier this summer, people were actually driving less than they did in the summer of 2020, during the peak of the pandemic, during the lockdown. That is why prices have dropped for gas.

But prices for everything else have gone up so high that people are still hurting all across the country, and we have Democrat policies and Democrat spending to thank for it.

People can't afford to drive. They can't afford to stay home either. That is because natural gas prices have more than doubled since Joe Biden took office.

Well, half of American homes are powered by natural gas. One expert predicted utility bills could jump 40 percent just this year.

Already, more than 20 million Americans have fallen behind on paying their electric bills because they don't have the money. This is another record. In total, the American people owe more than \$16 billion in unpaid electric bills. That is nearly double the amount they owed before the pandemic.

So you have 20 million Americans facing the possibility of having their power shut off. This is a moment of anxiety and anguish for families, and it is caused by the policies of the Biden administration.

Democrats think everything is fine because they just passed what they tout as the largest climate bill in history. I would expect to see the Secretary of Energy up there on the stage leading the cheers: Rah, rah. Look what we have just done.

They don't care about affordability, availability, the reliability of energy.

Oh, no, they are focused on something very different.

So in about 15 minutes, Democrats are throwing themselves a party at the White House to celebrate—to celebrate a bill that is not going to bring down inflation. Oh, no, no, it is going to raise it.

And it is not going to bring down the temperature either. According to one estimate, it will only reduce global warming by—I want to make sure I have this right—0.0009 degrees. The most expensive climate bill in history, taking our Nation from energy dominant to energy dependent, for 0.0009 degrees.

And the centerpiece of this law is, of course, the \$300 billion slush fund.

People say: What is it for?

Well, it is going to give taxpayer dollars to well-connected Silicon Valley elites. That is what it is going to do. It is going to be given to them so that so-called clean energy startup companies can do things with it. Supposedly, they are going to spend it on new forms of energy. We will see.

If it sounds familiar, it is because Democrats tried this the last time Joe Biden was in the White House, as Vice President. The Obama administration spent \$90 billion on a similar program. So this one is over three times as large.

Who was in charge of running that failed program at the White House back in the Obama administration?

Well, it is the guy in the White House today. Joe Biden was in charge of running it, and what was the end result? It was a national embarrassment. It was a disaster. Ninety percent of the jobs that Joe Biden promised America back then never materialized—not at all.

According to Bloomberg, Democrats spent over \$725,000 for each job that ultimately materialized. And, again, it wasn't Democrats' money that they were spending. It was taxpayer money.

Most famously, Democrats gave half a billion dollars to a company called Solyndra. They became a laughing stock in the news and late-night comedy. They were supposed to make solar panels. Two years later, Solyndra went bankrupt. The taxpayer money was gone, all to waste. And now the Democrats are saying: Let's go back to that same playbook and let's just reload with cash. Load up the money cannon and fire away.

At a much bigger scale this time, instead of \$90 billion last time, it is \$300 billion this time.

Democrats have also just gone on and extended another giveaway for people buying electric vehicles. Now, many of them are high earners, there is no question about it. At a time of record inflation, Democrats are robbing the middle class to give the money to the rich. Three out of four electric vehicle owners make over \$100,000 a year. It is not just unfair; it is unsustainable because electric vehicle prices are soaring right now.

The average price is now \$66,000 for each electric vehicle, and, I will tell