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Senate

(*Legislative day of Thursday, February 3, 2022*)

The Senate met at 10 a.m. on the expiration of the recess and was called to order by the Honorable RAPHAEL G. WARNOCK, a Senator from the State of Georgia.

PRAYER

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

Let us pray.

Majestic God, who owns the world and everything in it, we honor Your Holy Name. Lord, You laid the foundations of the oceans and surrounded us with beauty. You permit us to daily borrow our heartbeats from You. Continue to bless and guide our lawmakers as they look to You for wisdom. May Your precepts provide a lamp for their feet and a light for their path.

Lord, guide them as they travel like pilgrims in a sometimes unfriendly world. Fulfill Your promise to supply their needs out of the abundance of Your celestial riches.

We pray in Your triumphant 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 senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, February 8, 2022.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable RAPHAEL G. WARNOCK, a Senator from the State of Georgia, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. WARNOCK 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 senior assistant legislative clerk read the nomination of Douglas R. Bush, of Virginia, to be an Assistant Secretary of the Army.

RECOGNITION OF THE MINORITY LEADER

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

BIDEN ADMINISTRATION

Mr. McCONNELL. Mr. President, the Biden administration spent the end of last week boasting that our economy

added back more jobs in January than some economists had predicted, but American families aren't buying their spin.

The working men and women of this country know painfully well that the Biden administration's economy is failing them. One typical recent survey showed a majority of Americans disapprove of the President's job performance, and Democrats' poor handling of the economy is a major factor.

So let's be clear. The country was always—always—guaranteed to add back jobs following the 2020 COVID recession. The Biden administration did not create the vaccines, it did not create this milder variant, and it is not owed particular credit for the fact that our economy is continuing to climb out of the crater caused by the 2020 lockdowns.

Our trajectory of adding back jobs has stayed remarkably consistent from late 2020 up through today. Job growth under President Biden has just kept bumping along the trajectory that he inherited—notwithstanding that Democrats blew trillions of dollars on supposedly job-creating policies in the meantime.

There has been no noticeable acceleration in job growth relative to the baseline that was forecast before Democrats took power, but inflation, on the other hand, has absolutely soared relative to those forecasts. Consumer prices exploded by 7 percent in 2021—the worst inflation in 40 years. More than 80 percent of Americans say the cost of everyday goods have shot up, and two-thirds disapprove of the job President Biden is doing to help their wallets.

Even though American workers have been earning pay raises, inflation is leaving them with less purchasing power than they had in the first place. Once you factor in inflation, the average American has gotten a 2-percent

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



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real pay cut—cut—under Democratic policies. According to one calculation, only in one single sector across the entire economy did wage growth outpace inflation last year. That was leisure and hospitality, as those incredibly hard-hit sectors rebounded from their especially nightmarish 2020. Everyone else, on average, got a pay cut.

The average retail worker got an inflation pay cut; same with miners and loggers— inflation pay cuts. Construction workers, manufacturing workers, and transportation workers got inflation pay cuts, and on and on. Americans know that Democrats' failed policies are the reason.

ISIS

Mr. President, now, on another matter, last week, the U.S. military took another top terrorist leader off the battlefield. This particular leader had been ISIS's top militant since 2019, when American special operators introduced his predecessor to a similar fate.

I am proud of our special operations personnel who took on this dangerous mission. President Biden deserves credit for making the tough call to send U.S. servicemembers into harm's way.

Until this terrorist chose to kill himself and take innocent citizens with him, their mission had been to capture him alive for interrogation. That is an encouraging sign. If the past 20 years of counterterrorism have taught us anything, it is that just taking out top leaders does little to uproot their networks. This terrorist could have been a source of valuable information for destroying ISIS.

But this aspect of last week's mission also raises a question for our Commander in Chief. If President Biden recognizes the value of detaining top terrorists, then why are his staff still caught up in the longstanding liberal obsession with shutting down our detention center at Guantanamo Bay?

The White House said last year that closing Gitmo was "certainly our goal and our intention," but last week, U.S. forces undertook this mission that was designed to take this terrorist murderer alive for detention and questioning. So how exactly was the Biden administration planning to square their political quest to close Guantanamo with their stated intention to capture this terrorist alive? Where were they planning to house this killer—a Holiday Inn? Did they intend to turn this guy over to a nonstate, third-party partner like the Syrian defense forces? That would have created new risks of another major ISIS prison break. And would his jailers have obeyed the Geneva Conventions? What if the Syrian regime—itself a state sponsor of terror—retakes that part of Syria? Or was the administration planning on bringing him before U.S. courts, under article III of our Constitution? Did the FBI come along on the raid to read this foreign terrorist his Miranda rights? Was their plan to eventually give this sworn killer the same rights as U.S. citizens and risking

the possibility of a jailbreak attack on our own American soil? Or perhaps the correct answer—Guantanamo Bay—was their plan all along. Maybe the Democrats' virtue signaling about closing this important facility has finally given way to reality.

Guantanamo is a highly secure, humane, and entirely legal place to detain terrorists. It would have been the safest place to interrogate this terrorist, well within the bounds of the laws of war.

Any Democrats who want to shutter it should look closely at the reality of the Syrian defense forces' makeshift prisons, like the major jailbreak by hardcore ISIS figures that just happened in Hasakah. They should remember the massive ISIS prison break when the Taliban overran Bagram in Afghanistan.

So if President Biden is pumping the brakes on his own plans to close Gitmo, he should say so, and I will be the first to applaud him. If he isn't, he owes the country some answers about his intentions with last week's raid and our national security going forward.

September 11 taught us definitively that we cannot treat terrorism as merely a law enforcement challenge. I hope and pray it does not come to pass that this administration is forced to relearn that lesson the hard way.

This war against terrorists will not end simply because we hope it ends. It will require sustained pressure to keep our enemies off balance.

CONTINUING RESOLUTION

Mr. President, on one final matter, yesterday, the House of Representatives introduced legislation to keep the Federal Government open and funded through mid-March. Avoiding a government shutdown in the near term is an obvious, commonsense step. But our military commanders and their civilian bosses badly need our country to escape the hamster wheel of chronic continuing resolutions. The urgent task of continuing to modernize and strengthen our military requires predictable budgeting and advanced planning. So I am glad the bipartisan, bicameral conversations about a long-term funding agreement are continuing.

Let me briefly reiterate some basic facts that are known to everybody here in Congress. I have been saying since last year that three basic boxes will need to be checked for a government funding deal to pass the Senate and make it to the President's desk.

No. 1, the agreement will need to honor the longstanding, bipartisan norm that spending growth for our national defense receives parity—parity—with spending growth for nondefense. We live in a world that is too dangerous for Democrats to go hog-wild on domestic programs and welfare. Instead, we need to refocus our attention on resourcing our great-power competitions with Russia and China in equal measure.

No. 2, any agreement will need to preserve longstanding, bipartisan pol-

icy riders. Again, this is just the bipartisan norm. The Hyde amendment prevents taxpayers from having to fund abortions against their will. Another rider prevents the IRS from weaponizing political bias and targeting citizens. In a 50-50 Senate, we obviously need to honor the bipartisan status quo on legacy riders.

No. 3, likewise, any agreement will need to keep new partisan poison pills out of the process.

That has been the big picture for months now—parity for defense, keeping longstanding bipartisan policy riders in, and keeping new poison pills out. With these basic things, a bipartisan deal should be achievable. Without them, it will be impossible.

I thank Ranking Member SHELBY for his tireless work. I hope our Democratic colleagues in both Chambers will fully embrace this noncontroversial framework, which has been clear to everybody literally for months, so that Congress can soon deliver the full-year funding that our servicemembers need to keep us safe.

I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

Mr. SCHUMER. 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 MAJORITY LEADER

The majority leader is recognized.

CONTINUING RESOLUTION

Mr. SCHUMER. Mr. President, yesterday, our colleagues in the House introduced legislation that will provide a temporary extension of government funding until March 11. The continuing resolution is expected to be taken up as soon as today, and once it is passed by the House, I intend to have the Senate take it up quickly and in time before the February 18 deadline.

While negotiations on the full-year funding agreement continue, we will in the meantime avoid a pointless and costly government shutdown. This CR provides a little more time to reach a deal for a spending package. It is the responsible and prudent path forward that eliminates the risk of a shutdown.

My colleagues have made good progress, and I am optimistic that Democrats and Republicans can soon arrive at a top-line deal for an omnibus. I am more confident than ever before that we can reach agreement for an omnibus by March 11, which is far more preferable to the alternative, a CR for the rest of the year.

NOMINATIONS

Mr. President, now on nominations, today, the Senate will continue focusing our responsibility to confirm more of President Biden's nominees.

By the end of today, we expect to finish the confirmation of four more nominees, including Amy Gutmann to