

legislation would require the IRS to provide Congress with an annual plan for how the Agency intends to use its new funding, a plan that could be rejected by Congress with a joint resolution of disapproval. And the IRS would be required to provide Congress with quarterly updates on implementation of its spending plans.

This would enable consistent and transparent oversight, provide accountability for any misuse of funds, and guard against violations of taxpayer rights.

And there would be real consequences for failing to submit plans or reports on time, including the rescission of funds until the IRS complies with reporting requirements.

The mission statement of the IRS is to:

Provide America's taxpayers top-quality service by helping them understand and meet their tax responsibilities and enforce the law with integrity and fairness to all.

Unfortunately, in recent years, the IRS has fallen far short of this standard. And flooding the agency with \$80 billion over and above its current budget—the majority of it for increased enforcement, let's just be honest—with no accountability, no oversight measures, is unlikely to do much to ensure taxpayers receive top-quality service.

I hope at least some of my Democratic colleagues will decide to join Republicans to enact measures that provide real accountability at the IRS, which is needed now more than ever. American taxpayers deserve nothing less.

I yield the floor.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.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

The Senator from Texas.

NATIONAL DEFENSE AUTHORIZATION ACT

Mr. CORNYN. Mr. President, the global threat landscape today is more complex and dangerous than at any other time in recent memory. From Russia's invasion of Ukraine to the Chinese Communist Party's growing hostility to the West, to North Korea and Iran's nuclear aspirations, to a Taliban-controlled Afghanistan, the threats we face today are as diverse as they are significant.

The fact is, we are now facing the reality of a power contest in two theaters, both in Europe and the Pacific. This is a reality we haven't confronted since World War II. Our military has been engaged in a 20-year asymmetric war against terrorism, meaning that our weapons, our materiel, our training, our doctrine, and our overall mindset has been focused on insurgent and terrorist threats, like the Taliban, like al-Qaida and ISIS. The result is the Department of Defense inter-

national security apparatus has largely given up the post-Cold War numbers and size in favor of a smaller, more nimble, more agile fighting force.

Unfortunately, we now face conventional military threats that we haven't faced for a long, long time, where not only the size and number matter but also the right type of weapons, be it ships, long-range assault vehicles, or modern aircraft like the F-35 and the V-22.

In short, we are now in a position where we can't choose between a large force and an advanced one. We need both. When we talk about modernization, that is the goal. So to state the obvious, this shift can't happen overnight. It won't be the result of a single funding or authorization bill. A bigger, stronger, and more advanced military will require an ongoing commitment, from Congress and the administration.

It seems self-evident that we need to supply our commanders, our professional military leaders, with the funding and the predictability that they need in order to prepare for the diverse threats just on the horizon.

In order to do that, we need to work with them to understand what it is they need, when they need it, and how we can help them get it and plan for the future.

Earlier this week, that answer arrived in the form of a letter from Defense Secretary Lloyd Austin. In that letter, he urged congressional leaders to complete a full-year funding bill.

He wrote:

Failure to do so will result in significant harm to our people and our programs and would cause harm to our national security and our competitiveness.

There is not much nuance or subtlety here. It is clear: an urgent warning from our Nation's top Defense official.

His letter didn't arrive completely out of the blue. It came following a widespread rumor that Congress would skip the regular appropriations process this year entirely and potentially maintain current funding levels through the next year, something we call a CR or continuing resolution.

A number of our Members have floated that idea, and reports indicate that the White House has begun preparing for that possibility.

In his letter, Secretary Austin outlined the long list of problems that a continuing resolution would create. Another short-term funding bill would hamstring the procurement of those needed weapons and other military assets. It would lead to delays in all three legs of the nuclear triad, stall our research and development efforts, delay critical investments in barracks, childcare centers, and other infrastructure projects. It would disrupt the training schedule for our brave servicemembers. It would cause unnecessary disruptions of military families, who already are sacrificing a lot, and it would hamper our recruitment efforts in an all-volunteer military.

We are already dealing with record inflation and supply chain issues, mak-

ing the process of granting and fulfilling defense contracts even more challenging. Given the threats that I have outlined around the world, America's Defense Department cannot afford for Congress to create even more obstacles for them to achieve their mission.

We all need to understand that a continuing resolution is not a consequence-free way to keep the doors of government open or the lights on. Continuing resolutions prevent the leaders of every Department and Agency in the U.S. Government, including the Department of Defense, from operating with the certainty and the predictability that they need. Stopgap funding bills should only be used as a last resort. They are not a responsible way for Congress to operate or for the U.S. Government to govern.

Now, our Democratic colleagues have had a majority in both the Senate and the House, and despite having ample time, they failed to advance any appropriations bills so far this year.

In September, they punted to December 16, which is when the current continuing resolution expires. That is 2 weeks from Friday. It doesn't look like we are much closer to a funding deal now than we were then.

Again, Secretary Austin says:

We can't outcompete China with our hands tied behind our back for three, four, five or six months of every fiscal year.

On-time appropriations bills are absolutely critical to our national defense. We can't expect our military leadership to operate in this sort of chaotic environment.

And it is a chaotic environment of the congressional leadership's own making. Our Democratic colleagues have the chairs of the relevant committees. Senator SCHUMER is the majority leader. He is the one who schedules votes on legislation on the floor. But, so far this year, we haven't gone through a regular appropriations process at all. It is all pushed back against the deadline of the end of the year, frankly, which diminishes the significance of individual rank-and-file Members of the Senate and the House, and we are left only with the option of voting up or down on a bill that could well approach \$1.6 trillion in an Omnibus appropriations bill. A CR would be slightly less than that because it would continue current appropriation levels.

This is a miserable way and, frankly, an embarrassing way for Congress to do business, and it is potentially dangerous, too, as I said.

Well, it isn't because of lack of effort, particularly when it comes to our national security. Speaking now about the National Defense Authorization bill, the Senate has so far this year failed to bring that bill to the floor for a vote. And, again, Senator SCHUMER is the majority leader, and he is the only one who can schedule that vote.

But it is not for lack of preparation. This is by design by the majority leader. Our colleagues on the Senate Armed Services Committee, led by Senators

REED, a Democrat, and Senator INHOFE, a Republican, completed their work on the National Defense Authorization bill last summer.

This year's National Defense Authorization bill was filed on July 18, 4½ months ago. I was hopeful that the Senate would advance this bill in September and work with our colleagues across the Capitol to send it to the President before the end of the year. But that obviously didn't happen—again, not an accident but by design.

Now we are at the end of November and the National Defense Authorization bill hasn't even hit the Senate floor. So not only are we talking about not appropriating the money so that our national security leaders can plan and implement the sort of needed investments that are critical in a great power competition; we don't even have the authorization bill on the floor.

I hope that will change in the next couple of days, but we have already wasted most of the year, and we can't get any of that time back.

So my point is that in order to plan for and prepare for the future—a dangerous future—our military commanders need predictability. They need to be able to plan. That is why Congress has passed a Defense authorization bill for each of the last 61 years. We can't skip this important responsibility or delay it any longer. Congress needs to pass the annual Defense authorization bill without further delay.

Now, Members of both parties, on both sides of the aisle, myself included, have been incredibly frustrated by this process—again, not by accident but by design—and we are eager to take up and pass a strong Defense authorization bill and then to pass the appropriations required for our Department of Defense and our national security leadership to do the job we expect them to do.

But it is not our frustration that is important. It is the jeopardy to our national security that has resulted from this chaotic environment and the slight—I don't know how you can interpret it any other way—to our men and women in uniform that what they do is not our highest priority; it is just not that important. That is not the message we should be sending to them.

There is no question that we have to get this done before the end of the year. We can't wait until next year or any longer. We need to pass a Defense authorization bill now, without further delay.

The bottom line is, we can't match the high stakes global threat landscape with continuing resolutions and past-due authorization bills.

The Defense Department needs to plan every single day to equip and train and, hopefully, deter military conflicts anywhere around the world. Our adversaries are watching us, and when they see us inflicting self-inflicted damage to our credibility and our commitment to national security, they don't fail to notice.

By failing to pass the National Defense Authorization bill and the appropriations bill, we will be stealing time that the Defense Department does not have.

General Douglas MacArthur said the history of failure in war can be summed up in two words: "Too late." "Too late."

For the sake of our country, I hope our Democratic colleagues will quit dragging their feet and allow this Chamber to advance bills to both strengthen our national defense and to fully fund it.

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.

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

Mr. KELLY. Mr. 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.

Mr. KELLY. Mr. President, I ask unanimous consent that the vote scheduled begin immediately.

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

CLOTURE MOTION

The ACTING PRESIDENT pro tempore. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The 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. 1133, Camille L. Velez-Rive, of Puerto Rico, to be United States District Judge for the District of Puerto Rico.

Charles E. Schumer, Richard J. Durbin, Christopher Murphy, Ben Ray Lujan, Tim Kaine, Sheldon Whitehouse, Jeff Merkley, Jack Reed, Jeanne Shaheen, Elizabeth Warren, Tammy Baldwin, Christopher A. Coons, Tina Smith, Michael F. Bennet, Jacky Rosen, Edward J. Markey, Angus S. King, Jr.

The ACTING PRESIDENT pro tempore. 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 Camille L. Velez-Rive, of Puerto Rico, to be United States District Judge for the District of Puerto Rico, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Nevada (Ms. ROSEN) and the Senator from Georgia (Mr. WARNOCK) are necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Nebraska (Mr. SASSE).

The yeas and nays resulted—yeas 54, nays 43, as follows:

[Rollcall Vote No. 363 Ex.]

YEAS—54

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

NAYS—43

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

NOT VOTING—3

Rosen	Sasse	Warnock
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The PRESIDING OFFICER (Mr. HICKENLOOPER). On this vote, the yeas are 54, the nays are 43.

The motion is agreed to.

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. 1147, Anne M. Nardacchi, of New York, to be United States District Judge for the Northern District of New York.

Charles E. Schumer, Richard J. Durbin, Jeff Merkley, Tina Smith, Sheldon Whitehouse, Benjamin L. Cardin, Maria Cantwell, Amy Klobuchar, Jon Ossoff, Mark Kelly, Jacky Rosen, Brian Schatz, Mazie Hirono, Angus S. King, Jr., Thomas R. Carper, Sherrod Brown, Tim Kaine.

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 Anne M. Nardacchi, of New York, to be United States District Judge for the Northern District of New York, 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 New Mexico (Mr. HEINRICH) and the Senator from Georgia (Mr. WARNOCK) are necessarily absent.