

Mr. LEAHY. I yield the floor. I suggest the absence of a quorum. The PRESIDING OFFICER. The clerk will call the roll. The senior assistant legislative clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded. The PRESIDING OFFICER. Without objection, it is so ordered.

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2023—Motion to Proceed

Mr. SCHUMER. Mr. President, it is my understanding the Senate has received a message from the House of Representatives to accompany H.R. 2617.

The PRESIDING OFFICER. The Senator is correct.

Mr. SCHUMER. I ask that the Chair lay before the Senate the message to accompany H.R. 2617, and 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 senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Colorado (Mr. HICKENLOOPER) is necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the Senator from North Carolina (Mr. BURR), the Senator from Texas (Mr. CRUZ), and the Senator from Oklahoma (Mr. INHOFE).

The result was announced—yeas 70, nays 25, as follows:

[Rollcall Vote No. 403 Leg.]

YEAS—70

Table with 3 columns of names: Baldwin, Bennet, Blumenthal, Blunt, Booker, Boozman, Brown, Cantwell, Capito, Cardin, Carper, Casey, Collins, Coons, Cornyn, Cortez Masto, Cotton, Duckworth, Durbin, Feinstein, Gillibrand, Graham, Grassley, Hassan, Heinrich, Hirono, Hyde-Smith, Kaine, Kelly, King, Kloubuchar, Leahy, Lujan, Manchin, Markey, McConnell, Menendez, Merkley, Moran, Murkowski, Murphy, Murray, Ossoff, Padilla, Peters, Portman, Reed, Romney, Rosen, Rounds, Rubio, Sanders, Schatz, Schumer, Shaheen, Shelby, Sinema, Smith, Stabenow, Tester, Thune, Tuberville, Van Hollen, Warner, Warnock, Warren, Whitehouse, Wicker, Wyden, Young

NAYS—25

Table with 3 columns of names: Blackburn, Braun, Cassidy, Cramer, Crapo, Daines, Ernst, Fischer, Hagerty, Hawley, Hoeven, Johnson, Kennedy, Lankford, Lee, Lummis, Marshall, Paul, Risch

Table with 3 columns of names: Sasse, Scott (FL), Scott (SC), Sullivan, Tillis, Toomey, Barrasso, Burr, Cruz, Hickenlooper, Inhofe

NOT VOTING—5

The motion was agreed to.

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2023

The PRESIDING OFFICER (Mr. PETERS). The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

Resolved, That the House concur in the Senate amendments numbered 1, 2, 3, and 5 to the bill (H.R. 2617) entitled "An Act to amend section 1115 of title 31, United States Code, to amend the description of how performance goals are achieved, and for other purposes" and that the House concur in the Senate amendment numbered 4 to the text of the aforementioned bill, with an amendment.

MOTION TO CONCUR WITH AMENDMENT NO. 6552

Mr. SCHUMER. Mr. President, I move to concur in the House amendment to the Senate amendment No. 4 to H.R. 2617, with an amendment.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from New York [Mr. SCHUMER] moves to concur in the House amendment to Senate amendment No. 4 to H.R. 2617, with an amendment numbered 6552.

Mr. SCHUMER. I ask consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The amendment is printed in the RECORD of Monday, December 19, 2022, under "Text of Amendments.")

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 yeas and nays are ordered.

AMENDMENT NO. 6571 TO AMENDMENT NO. 6552

Mr. SCHUMER. Mr. President, I have an amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from New York [Mr. SCHUMER] proposes an amendment numbered 6571 to amendment No. 6552.

Mr. SCHUMER. I ask consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows: (Purpose: To add an effective date)

At the end add the following: SEC. __. EFFECTIVE DATE.

This Act shall take effect on the date that is 1 day after the date of enactment of this Act.

MOTION TO REFER WITH AMENDMENT NO. 6572

Mr. SCHUMER. Mr. President, I move to refer H.R. 2617 to the Committee on Appropriations with instructions to report back forthwith with an amendment.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from New York [Mr. SCHUMER] moves to refer the House message to accompany H.R. 2617 to the Committee on Appropriations with instructions to report back forthwith with an amendment numbered 6572.

Mr. SCHUMER. I ask consent that further reading of the motion be dispensed with.

The PRESIDING OFFICER (Ms. HASSAN). Without objection, it is so ordered.

The amendment is as follows: (Purpose: To add an effective date)

At the end add the following: SEC. __. EFFECTIVE DATE.

This Act shall take effect on the date that is 4 days after the date of enactment of this Act.

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 yeas and nays are ordered.

AMENDMENT NO. 6573

Mr. SCHUMER. Madam President, I have an amendment to the instructions at the desk.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from New York [Mr. SCHUMER] proposes an amendment numbered 6573 to the instructions of the motion to refer.

Mr. SCHUMER. I ask consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows: (Purpose: To modify the effective date)

On page 1, line 3, strike "4" and insert "5".

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 yeas and nays are ordered.

AMENDMENT NO. 6574 TO AMENDMENT NO. 6573

Mr. SCHUMER. Madam President, I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from New York [Mr. SCHUMER] proposes an amendment numbered 6574 to amendment No. 6573.

Mr. SCHUMER. I ask consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To modify the effective date)

On page 1, line 1, strike “5” and insert “6”.

Mr. SCHUMER. I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

UKRAINE

Mr. PORTMAN. Madam President, I come to the floor tonight as we are hearing media reports that President Zelenskyy of Ukraine will be coming to Washington tomorrow to address a joint session of the U.S. Congress. I hope that is an accurate report. I think it is important that he come. This would be, by the way, the first time that he has left Ukraine in 300 days—not since the start of the invasion, which is now 300 days from today.

Against all odds, Ukraine has held out against the Russian assault. Many thought that it would only be able to hold out for a week or so. Instead, it has been 300 days. They have pushed Russia back in so many places.

I am glad he is coming because I know what he will do is talk about his deep appreciation for what the American people have provided. Every time I have been with him—and I have traveled to Ukraine about 10 times since 2014—he talks about that. But, particularly, over the last few months, I have been to Ukraine twice, and he focused on the fact that they couldn't do it without us and the deep appreciation that he feels.

Second, I know he will give us a firsthand report of what is going on. Just this morning, he was in Bakhmut, which is in eastern Ukraine. This is what it looks like in Bakhmut today. So he is going from a ravaged battle zone—it looks a little bit like a World War I battle zone when you see all the damage that has been occurring in this area. He will be able to tell us specifically what is happening on the battlefield and talk about the continued Russian atrocities that are being committed in the country of Ukraine.

I am here for the 29th consecutive week on the floor of the Senate to talk about this attack on Ukraine, a brutal, illegal, and totally unprovoked war on a democratic ally of ours who just wants to live in peace with its neighbors, including Russia. In each of these previous 28 speeches, I have talked about the progress that has been made and some of the issues that the Ukrainian people still need to address, particularly with regard to more technology and more weapon systems from the West and from the United States.

Today, I thought it might be useful to step back and take a look at how we got here and how far Ukraine has come over these 300 days. Let's consider what the Ukrainian military has accomplished since that initial Russian invasion of sovereign Ukrainian territory now over 8 years ago.

This first picture shows Ukrainian soldiers taking up positions in Kramatorsk back in 2014. This was, again, right after the so-called Revolu-

tion of Dignity when Ukraine decided to turn to the West—the United States and Europe, democracy, free markets—and the Russian-backed, corrupt government was thrown out. Russia responded by attacking Ukraine, taking Crimea and parts of the Donbas.

These are the Ukrainian soldiers at that time. You can look at this very basic kit: old, rusted weapons; boots that don't look very sturdy; helmets that look like they are from the Soviet era, and they probably are; small anti-armor weapons that really did not have any ability to stop the Russian armor. They couldn't puncture the armor in these Russian tanks and other armored vehicles.

These were the soldiers who were tasked with stopping Russia's initial invasion in 2014. Again, they look more like soldiers from the 1980s. In those days, the Ukrainian military was underfunded, faced a lot of allegations of fraud, had a lot of corruption, and was shockingly small. And that was on purpose because the Russian-backed government didn't want an effective military.

In 2014, with the help of an assortment of militias, they were able to slow Russia's advance just because the Ukrainians were taking the high moral ground, but they were unable to push the Russian forces out of the country or to keep them from taking Crimea and large parts of the Donbas, which remained in Russian hands.

Let's fast-forward now to 2022, today, and see what our help has resulted in. This is a photograph of what soldiers look like on the frontlines today. This is in a trench in Bakhmut where you can see modern firearms and helmets, body armor, additional gear and equipment on their uniforms for extended operations in the field, and weapons that can actually make the difference—for instance, the American-made Javelin anti-armor missiles that were provided to them, which are so effective against the Russian tanks and other armored vehicles.

There is an additional thing you can't see in this photograph or any photograph, but it is really important, and that is training. These soldiers in 2022 are far better trained than their predecessors, and they are schooled in Western tactics. They are competent, disciplined, and able to operate independently in uncertain circumstances. This stands in sharp contrast to how Russia's military has conducted itself in this conflict: overly centralized command and control, poor discipline, and an unwillingness or inability to learn from their mistakes.

This is the modern military that has shattered the sword of Russia's war machine, and it was all made possible through the combined efforts of the United States, American taxpayers, but also our allies across the world—particularly the UK—did a lot of training. Our European allies and the EU did a lot of training, particularly the Eastern European countries in the region; also Canada.

We stepped up, and we helped to train the next generation of the Ukrainian military, and through that, we have helped professionalize, arm, and train Ukraine's military since 2014 to prepare for the exact contingency that occurred earlier this year, which is a full-scale invasion by Russia. Our efforts are paying off, as Russia's invasion has floundered and its military has been truly denigrated.

If you need more proof of how successful our aid to Ukraine has been over the years, let's look at this map. When the invasion came in February of this year, all of this area in blue was occupied by Russia. Ukraine has now taken back about 55 percent of its own territory, liberated these areas, and they continue to make progress, as you know, here in Kherson and here in the Kharkiv region and throughout eastern and southeastern and northeastern Ukraine.

Russia had thought it had an easy battle on their hands. They thought that within a matter of days or weeks, this entire map would be red, that all of Ukraine would be theirs. Instead, since February, Ukraine has liberated over 74,000 square kilometers of sovereign territory and thousands and thousands—millions, in fact—of Ukrainian citizens who have embraced these troops as liberators.

Ukraine's fighters have strong morale, but they will be the first to tell you that none of this would have been possible without help from this body, from the U.S. House, from the U.S. taxpayers, to give them the tools they needed to protect their freedom. We have sent Ukraine now billions of dollars' worth of military, economic, and humanitarian aid since that attack in February—humanitarian aid that has saved lives, economic aid that helps keep the Ukrainian Government and economy afloat, and military aid that has enabled Ukraine's brave defense of their homeland.

Javelin missile launchers helped stop the mechanized advance toward Kyiv back in February and again in March of this year. But since the summer, the most important weapon has been these high-mobility artillery rocket systems, known as HIMARS. We have provided about 20 of these units. Not a single one, by the way, has been taken out by the Russian military. It is extraordinary. They shoot and they scoot, and they are very effective. These same weapons have been provided, by the way, to the Ukrainians by Germany and by the UK. So we are not alone, nor should we be. Our allies should be there for Ukraine.

As I have said on this floor many times, these 20 launchers have been game changers in the battlefield.

By the way, I see my colleague Senator KLOBUCHAR is on the floor today. When we were in Ukraine a few months ago, we were talking to the U.S. Embassy personnel—a small, dedicated group who are there—about what was happening. They said the day before

that they had ordered food in Kyiv, and when the food arrived in bags—hamburgers, by the way—on the outside of the bag was written: Thank you for the HIMARS. Thank you for the HIMARS.

We are told that newborns in Ukraine are often taking the name “Himar” now. That is the degree to which they know and appreciate what we have provided for them to be able to save their homeland, their families, and their freedom. It is the long range and high precision of these weapons that have enabled Ukraine to be so successful, particularly going after Russian logistics—command and control, cutting off the troops as they did in Kherson, forcing the Russians to leave that city, the first major city that Russia occupied.

It is also critical that we send more air defense equipment, particularly counterdrone weapons, to Ukraine right now. We have to continue to provide Ukrainians with these air defense systems—including cost-effective electronic warfare systems—that will enable them to control the skies over the long term without exhausting their stockpiles of anti-air missiles.

We know what is happening. As Ukraine is making progress on the battlefield, Russia, out of desperation, is turning to civilian attacks. Targeted civilian attacks—that is what is happening every day, every night in Ukraine.

I was pleased to see recent reports that the administration may soon be sending Patriot air defense systems to Ukraine to defend against Russia’s critical bombardment on these civilian targets, particularly on critical energy infrastructure. In my view, this is long overdue. Patriots are defensive. Of course, we should have sent those as soon as we could and trained the Ukrainians on them, and we could have avoided so much death and destruction, but it is good the administration is now considering doing it. I would hope that we will hear something positive on that soon.

Russia’s Foreign Ministry predictably warned last Thursday that if the United States delivers these air defense systems to Ukraine, it would be “another provocative move by the United States.” They have said this would result in a swift response from Moscow.

Ladies and gentlemen, this is clear propaganda. Patriot missiles are defensive by their nature. They are not the same kind of missiles you would fire into another country offensively. They are smaller missiles, meant to kill missiles in the air and drones in the air and airplanes in the air.

Any reasonable person can clearly see that the provocateur here is not the United States or any other country; it is Russia, of course. Ukraine has every right to defend its citizens, and I believe America is well within its rights to help them do that.

This is more evidence that Russia’s claims of American provocations are baseless. They always have been. Javelins, Stingers, HIMARS, and now Patri-

ots—and every time, they have said that this is provocative. They will continue to claim that anything we give Ukraine to disrupt this genocidal invasion is provocative. So why do we keep letting these illogical claims stifle our aid to Ukraine? Let’s not let it happen here with the Patriots.

For the past 10 months, I have seen news story after news story about the United States refusing to provide this or that weapon to Ukraine for fear of provoking Russia. They have been asking for weapons since the very start that we have yet to provide: fourth-generation aircraft, F-16s that are in other countries that are willing to provide them, but they need our licenses—we need to approve it for those planes to go—main battle tanks. They want to make this a conflict where they have a chance, tank to tank, to be able to have Abrams tanks.

Long-range missiles like the ATACMS missiles that Ukraine has asked for since the beginning of this conflict would have enabled larger Ukrainian advances than the ones you see on this map. They would be doing even better.

The same fear of provoking Russia is exactly what drove the Obama administration, back in the day, to refuse to provide any lethal assistance at all to Ukraine in 2014 and 2015. That certainly did not stop the Russians from holding onto Crimea and parts of the Donbas. It just emboldened them because they knew the United States was not going to respond and, therefore, our allies, without our leadership, were not going to help.

Likewise, refusing to give Ukraine the weapons it needs now will not stop Russia’s onslaught. No one can believe that. Russia will only leave Ukrainian territory if it is pushed out by force of arms. It will not suddenly decide to leave if we just give in to their unreasonable demands and agree with them that, because it is provocative, we can’t provide it.

We have to continue to provide more aid to Ukraine and do it as soon as possible. We can’t allow a stalemate to set in or, worse, allow Russia to regain the initiative during this critical time. Every day this war drags on, there are more impacts on our economy and on the global economy, and every day this war drags on, there are more war crimes being committed by Russia.

Throughout my several trips to the region since the invasion began 10 months ago, I have spoken with women and children who have seen death and destruction that few of us would ever imagine. Our military aid can propel the forces of Ukraine to victory, but the mental and emotional toll of this war will be felt for decades to come.

As Russian attacks on civilian infrastructure continued to knock out power around the country, last Wednesday and Thursday, 7 civilians were killed and a further 19 were wounded, according to a report from President Zelenskyy’s office. Yester-

day, only 20 percent of Kyiv, this modern city in Ukraine—only 20 percent of it—had lights.

And the war crimes do not end there. In the recently liberated city of Kherson, Ukrainian officials discovered a room that Russian soldiers had used specifically for the detention and torture of children. According to the Ukrainian Parliament’s Commissioner for Human Rights, “we saw the rock bottom in Kherson”. The children were given little water and almost no food. According to locals, the children were also subjected to psychological abuse. One 14-year-old boy was arrested and tortured just for taking a picture of broken Russian equipment.

Who can hear these words and truly think that the Ukrainians or the West are the true provocateurs here?

And that is just the war crimes we know about. And we know about a lot of them now. We don’t know what horrors are still being conducted here behind the lines in occupied areas of Ukraine.

Unfortunately, Russia is making it abundantly clear that it will do nothing to hold its soldiers accountable for these crimes in Ukraine. A new bill making its way in the Russian legislature would effectively legalize any and all war crimes committed by Russian soldiers in Ukraine if those crimes are “aimed to protect the interests of the Russian Federation.”

As many of us have said for months, the pain and suffering inflicted on the innocent people of Ukraine is the point, and now Russian soldiers will have official legal cover to commit those atrocities.

This is a terror campaign—knocking out power and putting people in the dark, in the cold, during the Ukrainian winter. We can’t allow this suffering to continue.

I will be leaving the Senate soon and ending my time in this great Chamber. This is my last speech on the Senate floor about Ukraine, but, before I go, a couple of thoughts about the future.

Ukraine can win this war. They have shown that. That ending has been clear to many of us for a long time, if we provide assistance. Compare Ukraine’s military competence, bravery, discipline, and creativity on the one hand; and, on the other hand, Russia’s stunning incompetence and lack of ability to control or even supply its troops.

There was a New York Times story over the weekend that you may have seen in the Sunday Times about Russia’s inability to provide troops with their basic needs. Russia has fumbled every opportunity it has had in this war, from its failed attacking on Kyiv at the beginning of the invasion to its poor defenses of Kharkiv Oblast and the west bank of the Dnipro River. Even their supposed victories in the Donetsk area have come after long, grinding advances that come at the cost of thousands of casualties. At best, these are pyrrhic victories that reflect a serious inability to think or

learn creatively on the part of the Russian forces.

Ukraine, on the other hand, has had the moral high ground and the morale and the spirit in this war since the first Russian soldiers crossed the border with Belarus in the north and the lines of contact here in the east. Ukrainian soldiers have either outright defeated Russia's offensives, as they did in the north in the spring, or slowed them to a crawl, as they have done in the east. Right now, Russian forces near the city of Bakhmut are advancing no more than 100 to 200 meters a day, at a cost, we are told, of at least 50 Russian soldiers a day.

And on the attack, Ukrainians have been brave, bold, and relentless. Their liberation of the Kharkiv Oblast in September was a matter of carefully testing Russia's defenses there. Once a weakness was spotted, Ukrainian soldiers surged through the hole in the line. One week later, all of the province was liberated. It was a beautifully executed operation, which will likely be studied in military academies for a long time to come. And it was American and European and Canadian training that allowed that to happen.

In the south, near Kherson, it was a very different kind of offensive. There, Ukrainian forces—provided with these HIMARS from the United States, which we talked about earlier—gradually whittled away at Russian forces to the point where the situation became untenable. They couldn't be resupplied, and so they left, again, the one major city that they had occupied.

One of the counteroffensives in Kharkiv required quick thinking and an ability to rapidly exploit success. The other, in Kherson, required meticulous planning and patience. They were two very different operations. Yet Ukrainian soldiers pulled them both off.

That is why Ukraine can win this war. Its defenders are bold, creative, smart. They have proven it to us. Every Russian missile fired at the Ukrainian infrastructure to destroy the Ukrainian people's will is a wasted missile. Why do I say that? Because the intention is to make the Ukrainian people want to back off, to lose their resolve and this morale and the spirit I talked about it. It has just the opposite effect every time it happens, which is that it makes the Ukrainian people even more resolved and even more intent to win this war.

The Ukrainian people are unbreakable, as we have seen, and once Ukraine wins this war, I believe it will join the European Union, and eventually it will join NATO. The EU granted candidate status to Ukraine in June, which sent them down the path toward eventual membership. That was a good sign. Since then, according to the chairman of Ukraine's Parliament, Ukraine has already passed seven pieces of legislation to adopt reforms that are necessary to join the European Union. According to the Deputy

Prime Minister, Ukraine expects to become a full-fledged member of the EU within 5 years. That is the future.

Regarding NATO, by the way, I have long supported Ukraine's intention to join this alliance—the most successful military alliance, of course, in the history of the world. None of this would be happening were they in NATO already. And it is in line with NATO's longstanding open-door policy. The alliance has always welcomed the application of any and all eligible countries. And once Ukraine pushes Russia out of all of its sovereign territory, I believe it can take this step. It certainly would provide incredible military power to NATO.

Russia launched its initial invasion in 2014 and this larger one in 2022 precisely to keep Ukraine out of NATO, but all sovereign countries, including Ukraine, have the right to decide their own path, their own destiny, their own alliances, their own foreign policies. We cannot legitimize the Kremlin's ridiculous demands by giving up now. Plus, it is hard to think of a more qualified country to join NATO than Ukraine. Russia has been the greatest threat to the alliance for at least a decade. What better country to induct into NATO than one that has extensive experience defeating that threat on the battlefield?

So it is in our interests, but not just in our strategic interests, to aid Ukraine. It is also in our moral interests. If we falter in support of Ukraine, we condemn millions of innocent Ukrainians to a future of repression, a future of summary executions like we saw in Bucha and Izyum. I have been there. I have seen the damage they did. I have seen the place where they had a mass grave burying Ukrainian citizens—a future of torture chambers both for adults and children alike, a future in which the very idea of being proudly Ukrainian is outlawed and punishable by torture or death.

If we falter, we allow President Putin to continue to threaten the rest of Europe and potentially start a war with NATO that will draw in the United States. We cannot do that. This aggression must stop here.

Ukraine and its Western allies are fighting to preserve freedom in Europe and globally. How this war ends will have far-reaching consequence, both on the rest of the continent and around the world. If we can stop Russian aggression here, then we can deter other adversaries.

They are watching. China is watching. Iran is watching. They are watching and thinking about whether they should start similarly horrific wars of conquests.

We must send a message to the rest of the world that America will not back down when rogue nations threaten free countries. This has always been America's role.

Today, I was at the National Mall seeing the prayer that Franklin Roosevelt said on D-Day. This plaque has

just been placed on the National Mall based on legislation we passed here in this body. In that prayer, Franklin Roosevelt says that American troops were not going to Europe for conquest. It was not for the love of conquest. It was not for the lust of conquest. Rather, it was to combat the Germans and to stop conquests that American troops were there to liberate.

That is what we do. In this case, it is not our troops. They aren't asking for our troops, but they are asking for the tools to be able to be successful in liberating the people of Ukraine.

So I urge my colleagues to support the funding bill that was released yesterday that includes \$47 billion in assistance for Ukraine. We talked about this before, but it will also support the military, the civilians, and the government in Ukraine as that country continues to fight off the invasion.

I know these are significant investments, and we must be good stewards of taxpayer money. And I am very supportive of the accountability measures that are in that legislation that are very important—the end-use monitoring for our military equipment, the fact that an American accounting firm, Deloitte, is there to ensure that the money is properly spent, and that the World Bank gives us regular reports and audits the funding. This is significant.

Ukraine, by the way, is for this transparency, and we should be too. But as we are good stewards of American taxpayer money, let's also remember that Ukraine is fighting for all of us. Ukraine is fighting for all of us and fighting for freedom, and freedom is a worthy investment.

I yield back my time.

The PRESIDING OFFICER. The Senator from Florida.

Mr. SCOTT of Florida. Madam President, first, I want to thank my colleague from Ohio for his commitment to Ukraine, to get knowledgeable about Ukraine, what the needs are, and for continued support for lethal aid for Ukraine. And I hope this body continues to support Ukraine.

UNANIMOUS CONSENT REQUEST

Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of my bill, which is at the desk; I further ask that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Vermont.

Mr. LEAHY. Madam President, reserving the right to object, and I will object.

I agree with the Senator from Florida that we have a responsibility to help Americans in the wake of disasters. It does not matter if you are a Republican or a Democrat or if you are from a Blue state or a Red state. I still remember the devastation in Vermont when Tropical Storm Irene hit. I remember the people who were hurt, the

property that was destroyed, and the roads, bridges, and homes that needed to be rebuilt. When we needed help, the Congress came to our aid. The Senate and the House enacted supplemental disaster assistance to help us recover and rebuild.

That is why I included \$27.1 billion in disaster assistance in the omnibus bill I filed last night. This money will go to States that have been hit hard this year by natural disasters, including Hurricane Ian. The disaster supplemental included in the omnibus is nearly identical to the bill the Senator from Florida is proposing now. The difference is that the omnibus and the disaster supplemental in it has a clear path to becoming law now. It is part of a bipartisan, bicameral bill that we will pass, this week. We do not have time to play politics. We need to enact this bill and get aid to the people in Florida and communities across the country who need it most. I urge the Senator to vote for it.

I object to the Senator's unanimous consent request.

The PRESIDING OFFICER. Objection is heard.

The PRESIDING OFFICER. The Senator from Florida.

Mr. SCOTT of Florida. Madam President, I have been in the Senate about 4 years now, and I am not sure I can recall a day before this one that so perfectly exposed Washington's total dysfunction.

Last night or I guess this morning just before 1:30 a.m., Senate leadership finally dropped the \$1.7 trillion Pelosi-Schumer spending bill—all 4,155 pages of it. In typical Washington fashion, hostages have been taken to pressure Members of this body to approve this bill without a reasonable opportunity to review, debate, or amend it.

Most important to me are the Florida families fighting hard to recover from Hurricanes Ian and Nicole who are being used as pawns in exchange for approval of the massive and reckless \$1.7 trillion Pelosi-Schumer spending bill.

Immediately after the storm passed, I made clear that I would fight for and support a stand-alone disaster aid funding package to get Floridians the assistance they needed to recover. I even wrote to Senators LEAHY and SHELBY, the Senate top appropriators, urging them to work with me on getting much needed aid to Florida families as quickly as possible in a stand-alone disaster supplemental bill. My letter to them was written on September 30, 2 days after Ian made its catastrophic landfall near Ft. Myers, FL, but the aid Floridians desperately needed was delayed and turned into a hostage taken by Senate leadership so it could be stuffed in this massive omnibus bill.

To tell folks in the Sunshine State who are still picking up the pieces left by Ian and Nicole that this aid only comes as part of the 4,000-plus page omnibus spending bill is sickening, and I am not going to stand for it.

Government has an essential role to play in our society and core responsibilities to fulfill. We all pay taxes so that government has the resources to keep its promises to us and provide core services like national defense, Social Security, and Medicare.

If this spending bill helped balance the budget and only contained the things that the Federal Government should be responsible for, I would gladly vote for it without hesitation, but that is not what we are facing here.

When I ran for the Senate in 2018, I promised Florida families to make Washington work for them. That doesn't mean zero Federal spending; it means responsible spending by a Congress that is accountable to taxpayers who fund it. That is how we governed when I was Governor of Florida, and the result was better returns for our State's families.

Because we governed responsibly, the economy grew. A growing economy meant we could cut taxes and pay off State debt while making record investments in education, environment, and public safety. Washington can work this way, too, but not while failed politicians refuse to be accountable with your money.

The truth is, at more than 4,000 pages, the Pelosi-Schumer spending bill has a lot of policies and funding priorities I actually fought for this year. It has more funding to preserve and protect Florida's Everglades, funding to support our military, and, yes, disaster aid for the families and communities devastated by Hurricanes Ian and Nicole.

I support all these things, but I will never support the other parts of the bill that continue gross, reckless spending of taxpayer dollars. These are things like \$2.3 billion so the Department of Education can reach out to student loan borrowers and urge them to apply for Biden's illegal debt forgiveness program that has been blocked by the Federal courts, more than 7,500 Member projects or earmarks, funding for Biden to continue supersizing the IRS with 87,000 new agents, and continuation of policies that force every family to give the IRS visibility into their personal finances.

We just found out this terrible bill prohibits Border Patrol from using this funding to do its job and secure the border. The bill says:

None of the funds provided in subsection (1)(A) shall be used to acquire, maintain, or extend border technology and capabilities, except for technology and capabilities to improve Border Patrol processing.

So nothing to stop illegal crossings. We are just going to focus on processing people who already broke the law by illegally crossing the border. And while we are throwing a muzzle on our own Border Patrol, we are giving money to countries like Egypt to secure their borders. That makes no sense. We should do both.

Florida families deserve better than to be forced to accept these radical

policies and reckless spending in exchange for disaster relief. It is insane that I even need to come to the Senate floor to say that, but I am sick and tired of seeing dysfunction in Washington create hard times for families in the Sunshine State.

So I am here today to get things done for families in my State who are hurting and ask that the Senate take up and pass the disaster aid contained in the omnibus as a separate and stand-alone measure. This is the exact same language that was written in the omnibus bill that my Democratic colleagues seek to pass. I did not limit this just to Florida; the aid I am asking the Senate to pass benefits other States that have been impacted by disasters like tornados, flooding, and wildfires too. More aid may be needed, but getting this done is a good first step and is something that should never have been jammed into a massive end-of-year spending bill.

We can fix that error today, pass this on its own, and get relief on the way to families and communities in need.

I had hoped my colleagues would see the common sense in this simple request. Instead, Democrats have blocked this from passing tonight.

America's national debt is \$31 trillion and growing. When are we going to be so fed up that we decide this isn't sustainable—when we get to \$35, \$40 or \$45 trillion in debt?

Too many Democrats and Republicans in Washington are happy to close their eyes, plug their ears, and pass another reckless multitrillion-dollar spending bill we can't afford. I am not going to do that. I am going to fight every day for Florida families, but I won't cave to more spending and let the hard-working people of my State be treated as pawns in Washington's corrupt spending games. Doing so would be a betrayal of my promise to Floridians that I would always fight against Washington's corrupt dysfunction and wild spending.

We all get hired by voters in our States to represent them here in the Senate. How is adopting a massive, 4,000-plus page bill without reading it or debating its contents doing the job we all got elected to do?

Think about it this way: If you hired someone to negotiate a big, expensive contract for you and they told you to sign it without reading any of it, would you ever hire them again? No. No one would hire someone like that. That is exactly what is happening here.

We are asked to approve this massive bill days before a new Republican majority takes power in the House. It is nothing short of shameful abandonment and betrayal of our House colleagues and the conservative voters in Florida and across the Nation who elected them.

My colleague's decision to block disaster aid from quickly passing tonight is shameful as well. It is insane that my colleague has insisted on holding this aid hostage in a massive omnibus

instead of standing with families hurtling from Hurricanes Ian and Nicole and getting them relief today.

With inflation up nearly 14 percent since Biden took office, labor participation at historic lows, Federal debt skyrocketing, and a recession on the horizon, there has never been a more important time to stand up and demand fiscal sanity in Congress. That is why I think it makes a lot of sense that the House Republicans have made it clear that they do not support passing the Pelosi-Schumer spending bill. Passing an omnibus right now ties the hands of the new Republican House majority and extends the priorities of NANCY PELOSI and House Democrats—the leaders and party that the American people just voted out of power.

Shockingly, some in the Senate have tried to argue that we should ignore the wishes of House Republicans. They argue that expecting a new, slim House Republican to keep the government funded is just too much to ask. I think that is nonsense.

The way I see it, the decision before Senate Republicans is as simple and straightforward as it gets here in Washington: We can either stand with Republicans or once again cave to the Democrats. We can either make sure it is House Republicans—not PELOSI and her outgoing Democrat majority—who get a say in how Congress spends taxpayer dollars next year or we can hand the recently fired Speaker a massive retirement gift on her way out the door.

I will tell you this: Florida families know that the process we have up here is not working. Inflation is raging, debt is out of control, and Congress so routinely passes massive, thousand-plus page spending bills without giving anyone time to read them that even the press doesn't bother to scrutinize this broken system anymore. While this might be business as usual in Washington, hard-working Americans find it disgusting.

Congressional Republicans should be taking every opportunity to stop the reckless, Big Government policies that Joe Biden, NANCY PELOSI, and Senate Democrats have jammed down the throats of the American public over the last 2 years. I promised Florida families that I would do that, and I won't back down on my word.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Madam President, I first want to thank Senator PORTMAN for his incredible work on Ukraine. He has given dozens and dozens of talks on this floor, but what is equally important is all the work he has done behind the scenes, working across the aisle, making sure the funding is there for the weapons, and meeting directly with President Zelenskyy. I just want to thank him for his incredible leadership, and we will continue his work. I have a feeling he will be calling us from Ohio or wherever he is to make

sure we are doing it right. I thank him for that.

DEMOCRACY

Madam President, we are here today to speak about democracy. Of course, that is on the line in Ukraine. President Zelenskyy reminds us about it every day when he says these simple words: "We are here." That is what he said the day of the Russian invasion. He went to the street corner and said, "We are here." That is what we are here to say today, is that there are people who are carrying the torch for democracy in our own country.

I am glad to be joined with my colleague today, Senator WHITEHOUSE, who has been such a leader when it comes to the DISCLOSE Act and that part of our democracy, as well as voting, to make sure we keep our democracy and make the case that our democracy does not work if we do not have campaign finance and things that are transparent and know where that money is coming from, because it drowns out the voices of everyday people.

Senator KING is with us today on the floor. He is a member of the Rules Committee. He introduced, with Senator DURBIN and myself, the original reform to the Electoral Count Act and has been a true leader when it comes to voting reform.

The Presiding Officer herself will be addressing this from the great State of New Hampshire, where they understand a little bit about a democracy and freedom and what that means.

Then Senator MERKLEY, the original sponsor of the For the People Act, which really set the table for the discussions we have been having on voting rights and the close vote we had when it came to finally passing the Freedom to Vote Act—that was built on the work that Senator MERKLEY and many others did on the For the People Act.

Nearly 2 years ago, a violent mob of insurrectionists stormed into this Chamber right here. We are looking at the desks they were opening up. We are looking at the presiding dais, which they invaded. They desecrated our Capitol. They interrupted the hallmark of our democracy, the peaceful transfer of power.

Just this last week, we gave the Capitol Police and the DC Metro Police—the police who protected us that day—the Congressional Medal of Honor. So many brave officers were there for us, and democracy prevailed that day.

But what we have learned is that what the insurrectionists didn't finish with bear spray and flag poles in the U.S. Capitol, others have tried to do with voter suppression laws, nonsense lawsuits, and threats of violence. They have literally attempted to shut down the rule of law, to shutter our voting laws, and they literally have mocked and made fun of political acts of violence.

Simply put, we know that Federal action was and is needed. That is why we introduced the Freedom to Vote Act

to protect every American's right to vote in the way that works best for them. Through a summer of intense negotiations, we got all 50 Democratic Senators on board. Sadly, our efforts were halted by the filibuster. But we did not give up and we have not given up on that bill, as well as the John Lewis Voting Rights Advancement Act.

Still, we are making progress in other places. A number of State voter suppression laws have been thrown out by courts, including by conservative judges. A number of State legislatures have taken action to protect the right to vote.

Finally, just this week, as part of this omnibus bill before us, we are on the verge of getting the bipartisan Electoral Count Reform Act signed into law. We thank Senator MANCHIN and Senator COLLINS for their leadership, as well as so many other Senators who were part of that effort.

I thank the members of the Rules Committee. We were able to get the bill, with some changes that Senator BLUNT and I worked on together that were supported on a bipartisan basis, through the Rules Committee on a 14-to-1 vote.

This year, it became clear that our democracy itself is on the ballot. The American people could be moved to act, and opponents of democracy, as we know, tried to put election deniers on the ballot. But whether it was Democrats, moderate Republicans, or Independents, they rallied around people who would stand up for our democracy. In many States across the country, when it came to election day, the highest vote-getters were not the most famous politicians; they were the secretaries of state who in many cases were not household names but were running against people who were election deniers. They ended up, including in my own State, having the highest vote percentages, highest vote totals of anyone in the State.

So what about the Electoral Count Act? This is an antiquated law passed in the 1800s which was never meant to be a trigger point for an insurrection.

What we have done with this bill that I believe we will pass this week, is we have made it absolutely clear that the Vice President does not have the power to reject electoral votes.

We all remember the words, the horrific words, "Hang Mike Pence," uttered just a few yards away from the Vice President in this very building.

We need to also raise the threshold for objecting to electoral votes, so that it takes more than two of the 535 elected Members to gum up the counting.

Even before the insurrection, when Senator BLUNT and I looked at the objections that were going to be made, in many cases by one, two, three Senators, we realized it would take at least 24 hours to get through them. In fact, there was nothing stopping under this antiquated law a single Senator and a single House Member from objecting to every single State, including

the States that perhaps their candidate had won, just to gum up the works. That is why we have pushed for the Electoral Count Act.

Moving forward, we must address the root causes, not only of these antiquated laws, not only of voter suppression, but also disinformation and misinformation that allows lies that undermine our elections to go viral and violent.

On January 6, we saw the cost of these lies up close. That is why we have to address the impact of disinformation online on our democracy. We can start by looking at the liability protections that we have put in place. Back when, yes, internet companies were starting in garages, back at the beginning. We have a legal provision, section 230, that protects social media companies from liability for the posting and spreading of dangerous content on their platforms.

We know people are going to post things that are hateful, that aren't true. But the question is, when companies' algorithms are designed, in fact, to make money off of repeating those lies and expanding them, and, despite some efforts to reduce them, it keeps coming and coming and coming, I don't know why we would put in liability protection for that.

If someone were to yell "fire" in a crowded theater, that person would be liable. That is not protected speech. But if the theater had in rules that protected its patrons, they wouldn't be held liable for that. But what if the theater was a multiplex and it decided that they would broadcast the words of the person yelling "fire" in all of its theaters. Would we think that was OK?

Well, that is exactly what is going on with disinformation and hate speech on the internet right now. Companies are allowed to repeat hateful disinformation, and they actually can profit from it. And that is why many of us believe it is time to look at section 230 and the immunity that this Congress has given them.

In addition, Americans should know who is behind the political ads they see online. We need to put in place the same rules for social media platforms that currently apply to political ads sold on TV, radio, and in print. That is a bill I had with Senator McCain and now with Senator GRAHAM. It is time to bring that bill up for a vote.

Even though the FEC has made some changes, they are not nearly what we need to have in place to allow Americans to have the information that they need. Finally, we have to talk about protecting people's right to vote. In the 2020 election, in the middle of a global pandemic, more than 160 million Americans voted—more than ever before—in what the then-Trump Department of Homeland Security called the most secure election in American history.

A big reason turnout was so high in 2020 was that States went out of their way to make it easier for people to vote because of the pandemic.

In the wake of that record voting, we saw a coordinated effort by State legislatures to make it harder to vote. In 2021, 18 States passed 34 restrictive voting laws, but the people of this country pushed back.

Look at what happened in Georgia. There were concerted efforts to limit voting during the runoff and make voting by mail more confusing. Still, Georgians found a way to make their voices heard. Some observers will look at the result and decide that, oh, this was a threat, it was overplayed.

But to paraphrase my friend Senator WARNOCK, this outcome does not mean that voter suppression does not exist, it simply means that the people have decided their votes will not be silenced. That is what we are dealing with right now. And we should be making an effort to make it easier for people to vote, and the best way to do that is to set some minimal Federal standard for voting.

The last thing I would like to say is to thank Senator BLUNT, who has been my cochair of the Rules Committee. He has been ranking, I have been chair; I have been chair, he has been ranking. And we have worked together, especially on the issue of protecting election workers and making sure that Federal funding was allowed to go for that purpose.

It was Senator BLUNT and I who were the last Senators here at 4 in the morning on the night of January 6 with Vice President Pence. We made that walk through the broken glass, by the spray-painted pillars, with the three pairs of pages holding the mahogany boxes with the last of the ballots up through Wyoming. We got to the House Chamber, and democracy prevailed.

And after that, Senator BLUNT and I went downstairs—the sun was coming out—and visited the Parliamentarian's office. As I look at our valiant staff, right now, sitting there, what I remember is the chaos and destruction in their own office which had been targeted by the insurrectionists.

I remember the broken picture on the floor. I remember all the papers all over the place. That is what we saw that day, and that was forever, ever marked in my memory of how close we were that this antiquated law was being used as a reason for these insurrectionists to come into our very offices.

Senator BLUNT and I walked out of the Parliamentarian's office that day, sun coming in, and I still remember, he looked at me and he said, Well, I will see you tomorrow then. We have got a lot of work to do.

I am proud of the work we have done since then. And one of the most important things we have done is to reform this law. And I want to thank my colleagues that understand that that is just the beginning and not the end.

And with that, I will turn it over to Senator WHITEHOUSE. Thank you, Senator WHITEHOUSE, for your incredible leadership on campaign finance.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Madam President, first let me thank Senator KLOBUCHAR for organizing us to come to the floor this evening and for her leadership to support our elections. And we got lucky this year. There is good news. Democracy prevailed against the Big Lie, and most of the State election deniers lost their races. So that is a good news story.

Unfortunately, we have a lot of work left to do to safeguard our democracy from the twin threats of dark money, which is a seeping poison—a toxin—in our political system, and a runaway Supreme Court that dark money built.

Dark money political spending went from under \$5 million in 2006, when Senator KLOBUCHAR and I were elected to the Senate, to a billion dollars in 2020. A billion dollars in 2020.

And outside group spending from billionaires and special interests has climbed to \$2.1 billion in the midterms, and most of that outside spending is anonymous. It is dark money.

This torrent of dark money looses a tide of secret influence—improper, ungovernable, corrupting, secret influence. And Americans despise it. They understand what is going on. More than 90 percent of Americans support ending dark money through greater transparency for political spending, because when some big special interest is spending 2 billion, you know that the American people aren't winning.

My DISCLOSE Act would have stopped it. Unfortunately, not one Republican would vote for it, so we have work to do to build public pressure to make sure that the DISCLOSE Act becomes an irresistible force.

When \$2 billion comes into one election from big special interests, you can bet on one thing, and that is that the people will not be heard.

Now, over at the Court, \$580 million, at least, has been spent to acquire a Supreme Court eager to hand major wins to big Republican donors and the party. The Campaign Legal Center has described this as perhaps the most anti-democratic court ever. And if you look at their record, you can see why they say that: all the voter suppression, all the partisan gerrymandering, and, now, in a case before them called *Moore v. Harper*, potentially taking on an extreme theory, a debunked theory, the independent State legislature theory, which would unleash chaos in American elections by letting partisan state legislatures ignore their State constitutions regarding elections.

Well, I filed an amicus brief with Representative HANK JOHNSON highlighting the individuals and funders behind amicus briefs in that case who pushed that fringe legal theory in their efforts to overturn the 2020 Presidential election, but didn't disclose that to the Court.

There was a group called the Honest Elections Project that turned up there which didn't disclose to the Court its

connections to groups that spent tens of millions of dollars to put those Justices on the Supreme Court. That is a conflict of interest. It is potentially a due process violation, and at a minimum, it ought to have been disclosed.

The Court that dark money built is increasingly a danger to democracy itself. Dark money is dangerous because it is a tale as old as time that secrecy breeds corruption. And in a great democracy like ours where the people are supposed to rule, where citizens are supposed to make the decisions, to deny the people, to deny the citizens the basic information about who is behind what organization, to hide who is behind what jersey on the playing field is a grave disservice to democracy.

Dark money influence on our politics and dark money influence at the Court have got to be put to an end.

And with that, I will yield to the distinguished Senator from Maine, Senator KING.

The PRESIDING OFFICER. The Senator from Maine.

Mr. KING. Madam President, democracy, our system, is an anomaly in world history. The norm are pharaohs, kings, dictators, emperors, Presidents for life. That is the norm. The vast sweep of human history is all about authoritarians running their society. The idea that the people can actually participate in the building and operating and electing and creating their government is an unusual one. It is an anomaly in world history. That should tell us something, because that means it is fragile, and we have seen how fragile it can be.

On January 6, our entire democracy came down to the integrity and courage of one man: Mike Pence. If Vice President Pence had succumbed to the pressure—enormous pressure that he was under to try to throw out certain electoral votes and choose and count others, we would have been in literally uncharted constitutional territory. There is no telling how that chaotic situation would have been resolved.

Our system is unusual, and it is fragile. Likewise, the secretary of state of Georgia, a Republican, a strong Republican who voted for President Trump, what if he hadn't done the right thing? What if he had responded to President Trump on that infamous phone call by saying, I will see what I can do to jiggle the numbers and find those 11,770 votes. Where would we be?

The point is we should not put ourselves in situations that depend expressly upon the luck and good fortune of having the right people in the right place at the right time. Our institutions—our institutions should be solid and viable and work regardless of who is at the levers of power.

The electoral college and the Electoral Count Act is a timebomb under the edifice of democracy. I rarely disagree with Alexander Hamilton, but if you read the 68th Federalist where he justifies the electoral college, he just gets it wrong. Actually, he doesn't so

much get it wrong, history proved him wrong because the electoral college never worked in the way he described it.

We have to realize that the Framers were a little bit suspicious of democracy. The only institution in our government in 1787 that was popularly elected was the House of Representatives. Senators were elected by State legislatures until the 20th century. Presidents were elected by the electoral college, and, of course, Supreme Court and court judges were appointed by the President and confirmed by the Senate. The only popular elections were for the House of Representatives.

Now, Hamilton's concept for the electoral college was that it would be a sort of council of elders. In fact, when you read the 68 Federalist, he doesn't even think about the electors being pledged to a particular candidate; he basically says the people of each State will elect wise people to come together to select the best qualified person for President. He used an amazing phrase in light of what happened on January 6. He said: The system we proposed is "not perfect, it is at least excellent." But then he goes on to say: "It was also particularly desirable to afford as little opportunity as possible to tumult and disorder." Well, that is the definition of what happened here on January 6, was tumult and disorder that was created by this edifice that has never worked.

I, for one, think we should abolish the electoral college. The people of the United States should elect their President, and the votes of the citizens of each State should count equally instead of getting into this game situation where you go to particular States, you ignore other States, and some States, you know where the votes are going to go. I think the people of America should choose their President. That is what we all think we are doing on election day, and yet, as we learned on January 6, we have created this structure which never worked as Hamilton and as the Framers envisioned it that has turned into a kind of Russian roulette with our democracy.

So, in the 1876 election, it almost broke down. It was so close, nobody could decide who won. They ended up with a Commission to decide the election, which turned out to be a dark chapter in American history because that Commission ended up resolving the Presidency between Hayes and Tilden on essentially a corrupt deal. The deal was, Hayes could become President if he agreed to end Reconstruction in the South. Of course, that led to 70, 80 years of Jim Crow—not a happy experience in our history.

After that experience, the Electoral Count Act was passed—well-intentioned to try to solve some of the problems that were manifested in the Hayes-Tilden election of 1876, but the problem is, it is a terribly drafted law. Scholars, politicians, lawyers all concede it was confusing, ambiguous, and,

again, led to the problems of January 6.

I should also mention that Presidents who won the popular vote almost universally in our system also won the electoral college. Recently, that hasn't been the case. Twice in this short century, we have had Presidents elected by the electoral college who lost the popular vote by millions of votes. So is that a reflection of what we all think our democracy is all about? I don't think so.

The bill that we have before us now is, I believe, one of the most important pieces of legislation in this Congress because it deals with the structure of democracy itself. All of our policy issues, whether it is the Defense Department, Ukraine, all of the policy issues—healthcare—all of those things are critically important, but the infrastructure that underlies the system is even more important. We can't do good policy if we don't have a solid underpinning of a structure of our democracy. That is why the bill that is now part of the budget bill, the omnibus bill, is so important.

The bill is bipartisan. I think that is critically important. I sat in the Rules Committee. It passed 14 to 1, supported by Leader MCCONNELL and supported by Leader SCHUMER—14 to 1. I rarely see votes like that in that committee. But because there was universal realization that we needed to do something about this, we had a hearing on it, and I remember Senator BLUNT speaking at the end of that hearing and saying: This is something we need to take care of before the end of this Congress. That was a very important announcement and has led us to this moment. We had hearings. We brought in experts from across the country—election experts, legal experts. We made changes to the bill.

The bill came to us as a result of bipartisan negotiation led by my colleague Senator COLLINS from Maine and Senator MANCHIN of West Virginia and a group of Senators who came together organically to create this bipartisan piece of legislation.

What does it do? It is really pretty straightforward. It clarifies the role of the Vice President. The role of the Vice President is what we call ministerial; that is, just simple—count the votes, pick them out—not policy. We clarify now, forever, and always that the Vice President does not have a substantive role in deciding which votes should count.

It raises the objection threshold from 1 to 20 percent. Right now, under the Electoral Count Act, one Senator and one Representative can object to the votes of any State, and then we have to go through a process in either House which can go on for a lengthy period of time. But it is only one person. What we do in this bill is, it has to be 20 percent of the House or 20 percent of the Senate. That way, you are sure that the objections have some substance, some merit, and aren't just the fantasy

of one or two people. So that is one of the pieces of this bill. It raises the objection threshold.

It ensures a single, accurate slate of electors, to be clear of what the rules are in each State.

It expedites judicial review. That is important because, right now, it is unclear how disputes are resolved. What if a Governor, for example, refuses to certify an election in their State? This law gives a path to the judiciary—expedited consideration, expedited consideration to the Supreme Court—to decide these disputes so that we don't have a lengthy period of uncertainty in how our democracy is supposed to work. It also prevents mischief like moving and canceling an election for anything but the most extreme problems.

I think this is the most important bill this Congress will consider.

There is a lot more to be done. It doesn't solve every problem involving our election, as our other speakers have noted. There is a lot to be done about the casting and counting of votes. There is a lot to be done about campaign finance. But this is an important building block that we need to attend to.

I want to end by thanking Senator MANCHIN and Senator COLLINS, who formed the group who brought the bill forward. I want to thank my colleagues AMY KLOBUCHAR and DICK DURBIN, whom I worked with early on to develop a first draft of this legislation. I want to thank Senator KLOBUCHAR and Senator BLUNT for their leadership on the Rules Committee and Senators SCHUMER and MCCONNELL for working together to form a bipartisan consensus that this is an important piece of protecting the fundamental structure of our democracy.

As I said, what we have in this country is unusual. It is an anomaly in world history. It is fragile, and we have to at all times be vigilant and diligent in protecting it and maintaining it and filling in those cracks in the Union to make it more perfect.

Ronald Reagan made a wonderful observation about the every 4 years inauguration of a President. He said it is a "commonplace occurrence" and it is a profound occurrence. It is profound because it is commonplace. The peaceful transfer of power is what distinguishes our system from almost all others in the world. We have to be sure that continues to be the North Star of our democracy.

I yield the floor.

Mr. DURBIN. Madam President, last March, the Department of Homeland Security's Office of Inspector General released a report which revealed that the Department's intelligence division had identified "specific" threats related to January 6 before the deadly assault on the U.S. Capitol. But the report said that the Trump-era DHS did not share the intelligence about those threats with other key law enforcement partners until 2 days after the

mob stormed the Capitol. By then, no one needed a warning.

In an article in the Washington Post a few days after the 2020 election, a person identified only as "an anonymous senior Republican official" shrugged off Mr. Trump's unprecedented denial of President Biden's victory. He asked: "What is the downside for humoring him for this little bit of time?"

Now, we know. And now, we also know the catastrophic harm that can occur when people ignore the growing threats to our democracy and normalize the dangerous rise in threats of political violence and actual violence in our Nation.

Two weeks ago, hundreds of officers from the Capitol Police and the Washington Metropolitan Police Department filled the Capitol Rotunda. They were here to receive the Congressional Gold Medal, the highest honor that Congress can bestow. There were also officers who weren't there, who fought the mob and died in the days and weeks after. In his remarks in the Rotunda, Leader SCHUMER praised the officers for "holding the line" and saving the Capitol. And truly, we can never thank them enough. They are the heroes of January 6.

But what about the man who summoned the mob—whipped them into a fury with his Big Lie and turned them toward the Capitol, ordering them to "fight like hell" and "take back our country"? When will our Republican colleagues accept their responsibility to "hold the line" against Trump's increasingly unhinged agitation for political violence and authoritarianism?

Donald Trump's handle on his social media website is "realDonaldTrump." Earlier this month, he showed the world again exactly who the "realDonaldTrump" is. After repeating his Big Lie about a stolen election, he demanded "the termination of all rules, regulations, and articles, even those found in the Constitution." If given the chance again, can anyone doubt that Donald Trump would undermine or even suspend our constitutional order if it meant he could entrench himself in power and avoid accountability for his actions?

Fortunately, for democracy, the truth seems to be closing in on Donald Trump. Yesterday, at their final public meeting, the members of the bipartisan House Select Committee investigating January 6 voted to refer the former President to the Justice Department on four criminal charges. The proposed charges are historic and devastating: inciting or assisting an insurrection, obstruction of an official proceeding, conspiracy to defraud the U.S. Government, and conspiracy to make a false statement.

Ultimately, it will be up to Attorney General Garland and Jack Smith, the independent special counsel he has appointed to oversee the portions of the DOJ's investigation relating to Trump himself, to decide whether to bring

such charges. As the Select Committee finishes its work, however, I want to once again thank the committee members for their meticulous work and their courageous pursuit of the truth.

The work of the House Select Committee on January 6th confirmed a key fact that the Senate Judiciary Committee learned in our own investigation: that Trump was told repeatedly—by his own Justice Department appointees—that fraud did not affect the outcome of the 2020 election. Trump knew the Big Lie was a lie, and he repeated it anyway. He knowingly, deliberately poisoned the well of American democracy to try to hold on, illegitimately, to power.

Thankfully, the recent midterm elections have shown that the American people increasingly reject the Big Lie and those who continue to peddle it. The cynics who said that democracy wasn't on the ballot last month were wrong. In key swing States, voters rejected every election denier running for statewide office that Trump backed.

And yet the threat to American democracy is not over. Here in the Senate, we have a few Republican Senators who have spoken out bravely against Trump's lawlessness and demagoguery. But we have others who refuse to say a word against him. And a significant number of the members of the new Republican majority in the House are election deniers. MAGA Republicans at the local, State, and Federal levels talk a lot about patriotism and individual liberties and freedom.

But the truth is far different. What many MAGA Republicans really want is to eliminate rights they don't agree with, including the right to marry the person you love, the right to determine whether and when to have a child and even to use contraception, and the right to retire in dignity with the Social Security and Medicare payments you have earned over a lifetime of work.

If they are serious about protecting America, Republicans need to denounce the Big Lie and defend the legitimacy of our elections—the pillar of our democracy. We need to insist that everyone who was involved in January 6 is held accountable. We need to come together to reject the tools used to weaken democracy, especially voter suppression and political gerrymandering meant to disenfranchise our fellow citizens. We also need to limit the growing cancer of dark money on politics.

And if we are serious about reducing the growing threat posed by domestic violent extremist groups and individuals fueled by White supremacy and other far right extremist ideologies, we ought to pass my bill to create offices dedicated to combatting domestic terrorism at DHS, DOJ, and the FBI. You can't give a thumb's up to the January 6 mob—and pretend to care about democracy.

One of the most searing images from January 6 was the young, Washington

Metropolitan police officer being nearly crushed in a doorway. Members of the mob ripped off his mask and tried to gouge out his eyes. He ended up hospitalized. A week later, that officer, Daniel Hodges, told a reporter: "It was absolutely my pleasure to crush a white nationalist insurrection. I'm glad I was in a position to be able to help. We'll do it as many times as it takes." He also said, "If it wasn't my job, I would have done that for free."

Defending the basic freedoms of democracy for all Americans and confronting the growing threats of political violence and domestic terrorism is our job. And it ought to be at the top of the agenda when we return to work next month.

The PRESIDING OFFICER (Mr. WHITEHOUSE). The Senator from New Hampshire.

Ms. HASSAN. Mr. President, I am grateful today to join my colleagues as we continue to sound the alarm about the ongoing serious threat to our democracy. This is a perilous time.

I want to thank Senator KLOBUCHAR for her leadership on this issue and all of the rest of my colleagues who have been so eloquent tonight and I know will be eloquent tonight, who are here today to highlight the challenges to democracy we are currently facing and the opportunities we have to protect it.

I am honored to represent New Hampshire, a State that does democracy better than anywhere else. I want to start by talking about one of my favorite New Hampshire events.

Shortly after I was first elected Governor in 2012, I attended our statewide Veterans Day ceremony at the New Hampshire Veterans Cemetery, a remarkable, serene, beautiful space in the heart of New Hampshire. I had attended that ceremony in the past, but on this particular Veterans Day, I had just days before and for the first time been elected to statewide office to lead and protect my State. My predecessor was also at the ceremony, as were current and soon-to-be Members of Congress, members of the current State legislature, and those who had just been elected.

New Hampshire had seen a pretty dramatic change at both the State and Federal level. Two Democratic Congresswomen had won election, replacing Republicans. The State house of representatives had flipped from Republican to Democratic control in pretty dramatic fashion. But despite these changes, State and Federal elected leaders, veterans and their families, and citizens from all walks of life who wanted to ensure that our veterans knew how much they, the veterans, matter were all there—there to celebrate the people, the citizen soldiers who had stepped up in every generation since our country's founding to keep us safe and preserve our democracy so that the rest of us could live in freedom.

I have always loved this confluence of election day and Veterans Day. On

an early Tuesday in November, Americans flood to the polls to cast their votes, expressing their hopes for the State and country that they envision and want to be a part of, confident that they have a voice as stakeholders in our democracy. And then just days later, they join their friends, neighbors, political allies, and opponents to honor our veterans and the principles that they sacrificed and fought for, the foundational idea that every person in our democracy matters and has the opportunity to be included in our civic life.

Just days after a pitched political battle—as my dad would have said, "a war of words"—we were together standing united to support those who serve and have served and in doing so, to support the remarkable idea that is the United States of America.

This unifying moment year after year, election cycle after election cycle, didn't happen by accident; it happened because Americans have understood since our founding that the cornerstone of our democracy starts with free, fair, and impartially administered elections.

Throughout our history, we have failed and then struggled to include and treat equally all Americans, but as we have made progress to acknowledge the full citizenship of all of our people, we have committed to expanding voting access and to protecting an impartial electoral system that ensures the full and fair counting of all votes cast.

The acceptance of the outcome of these elections so that our country can continue to function, grow, become more inclusive, and thrive has been essential, not just for the sake of stability but for the sake of a democracy in which the government is truly responsive, truly of, by, and for the people, a government so responsive that a constituent, a 9-year-old little girl named Jada, can approach her Senator to talk to her about the sadness in her family after a beloved cousin died of an opioid overdose and expect her Senator to take her seriously and work to expand access to prevention and treatment services for those with substance use disorder; a government so accessible that a constituent named Sy can approach his Senator at a business in town and thank her for passing the Burial Equity Act, which allows those who serve in the National Guard or Reserves but aren't deployed to be buried in their State's veterans cemetery.

Sy, like so many of his fellow reservists, volunteered and was ready to answer the call and to sacrifice for his country, but he was never called up to do so. Artificial bureaucratic barriers prevented his service from being recognized in the same way that other military service is, but thanks to the advocacy of Guard men and women and reservists, that has now changed. Sy's service is being recognized, and he is being included, as he should be, in the remarkable legion of citizen soldiers that has kept this country free, and he

can now be buried in a sacred place of honor.

Jada's voice counts. So does Sy's. Their experiences and their lives matter and, in a true democracy, so do their opinions and their votes.

But the question for Americans today is this: For how much longer will the voices of everyday Americans count?

As we all know, in November, in State after State, including in New Hampshire, democracy was on the ballot. There were, in fact, candidates who questioned the sacred right to free and fair elections, individuals who expressed their willingness to overturn the 2020 election and their willingness to try to reject or overturn election outcomes in the future if their preferred candidates didn't win.

I want people to think for a moment about what this means. These candidates were open in their willingness to reject the votes of their fellow citizens, leading to a system in which those in power are unaccountable and therefore unresponsive to the people they claim to represent.

In race after race, anti-democracy candidates proposed extreme, unpopular agendas, whether it was eliminating Social Security and Medicare or imposing a nationwide abortion ban—ideas that voter after voter opposes. This disconnect, of course, explains their election denial. In a functioning democracy, the few cannot impose an extreme, unpopular agenda on the many. The only way for these extremists to accomplish their goals is to reject the votes cast by the majority.

The welcome news is that, in many cases, the American people rejected some of the most vehement election deniers.

On a brisk, cold Tuesday this November, Granite Staters, like millions of Americans, once again went to their polling places to cast their votes. They did so not with the expectation that their preferred candidates would win but, rather, that their individual votes would be counted. They did so at middle schools and townhalls before work and while grabbing lunch, and they did so in New Hampshire in record numbers. Voters recognized the real threat posed by those who would undermine our democracy. They saw the need to reject those who would disenfranchise them. They used their votes and their voices to stop those who would have otherwise jeopardized our democracy.

In November, democracy prevailed, but that does not mean the work is over. We know that while many election deniers lost their races, some won, and some remain in Congress. Those who threaten the integrity of our elections will remain persistent in their efforts, and those who stand on the side of democracy must remain persistent as well.

Our Founders understood just how fragile our democracy was, and the generations of Americans who have followed have understood it as well. If we

are to live up to their example and if we are to ensure that people like my constituents Jada and Sy are included and can make a difference, Americans must continue to do all that we can to uphold our freedoms and democracy.

In Congress, this means that we must continue to fight for access to the ballot box and share a commitment in accepting the results of elections. We can do that by supporting legislation like the John R. Lewis Voting Rights Advancement Act and the Freedom to Vote Act. This week, we will take an important step forward by passing the bipartisan Electoral Count Reform Act.

Across the country, we must continue to do what the American people did this year—reject those who would end democracy as we know it. If we are truly to remain a government of, by, and for the people, we must stand up and ensure that its foundation of free and fair elections truly accessible to all eligible voters remains protected for generations to come.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, I am delighted to be here with my colleagues tonight and with the chair of our Rules Committee, AMY KLOBUCHAR, who worked so hard and so intently on the For the People Act and on the For the People Act 2.0, the Freedom to Vote Act, which was sought to address the foundations of democracy in our country.

I am delighted to be here with the former Governor and Senator from New Hampshire, who really understands from both the State and national perspective the importance of the rules of democracy, and my colleague from Maine, who was just speaking about the election of 1876, which had so many parallels with the election of 2020 because in that year, there were four States that submitted two different slates.

The Republican Party said: Let the Vice President decide because he is targeted in the Constitution to receive the ballots.

The Democrats said: Well, he is not given the power in the Constitution to decide which slate of ballots to accept.

That led to a standoff and a Commission that was a setup of five Senators, five House Members, and five Supreme Court Justices to try to decide which slate of ballots to accept.

As you pointed out, that election led to the Electoral Count Act for the first round. Ten years later, they rewrote it again, but it wasn't sufficient.

I just want to compliment him and the work that the entire set of Senators did to bring forward a much improved version that will be included in the omnibus bill we will be considering.

As I am here with my colleagues, pondering—pondering—the state of our democracy, the state of our Republic, I can't help but think of that story from Benjamin Franklin at the Constitutional Convention.

In seeing him walk out of Independence Hall on the last day of the Convention, a woman came up and asked Dr. Franklin: Well, Doctor, what have we got? Is it a republic or a monarchy?

Dr. Franklin replied, "A republic if you can keep it."

"A republic if you can keep it"—recognizing the challenge of sustaining this framework in which we voluntarily work together to have a system of ballot integrity, of registration integrity, of voting integrity, and, in fact, of counting the ballots with integrity.

If I go back to that battle of 1876, the deal that was struck was a dark deal. It was a deal which said, as my colleague Senator KING pointed out: Even though one candidate was one vote short of winning the electoral college, we will give those four slates to the Republican if the Republican will pull the troops out of the South and Reconstruction.

What that meant was ending civil rights for Black southerners not for one or two generations but for the better part of three-quarters of a century, three generations. It was a terrible, dark, evil deal that came out.

But, in this body, there was a Senator who said: We need to restore those rights to the South.

He waited through 1888 and on into 1890 until there was a possibility of passing a bill that would protect voting registration, voting at the ballot box, and the counting of the votes. It was called the Lodge Act. Sir Henry Cabot Lodge from the House, who later came to the Senate, supported it and sent it over here. Senator Hoar proceeded to champion it in this body, but it was a filibuster by southern Democrats who killed that bill—a filibuster later accompanied by support, actually, from northern Republicans, who wanted to get to a tariff bill, the McKinley Tariff Act. It was supported by western Republicans, who wanted to get to the silver currency bill. In other words, people from all over the country in this Chamber failed to stand up for the civil rights of every American.

It is indeed true that our institutions are far more fragile than we ever anticipated. We believe in the vision of a republic. And how does that differ from the vision of a dictator? It differs from a dictator or a King in that power flows up from the people; it doesn't flow down from the powerful. But we have seen a steady erosion of that vision here in the United States of America.

With the wealth inequality, we have come to see that there is an incredible loss of government of, by, and for the people. Let me explain. When you get that kind of power concentrated at the very top, that money becomes sets of lawyers who work 24/7, 365 for the powerful and against the people. When you get that kind of concentration, you get media campaigns spending huge sums of money to change how people think about issues—power for the powerful, not government by the people.

Then let's think about the fact that that same set of powerful are using campaign funds to get the outcomes they want and they are using dark money.

My colleague Senator WHITEHOUSE was talking about the DISCLOSE Act and how important it is that we at least have transparency. Where are these hundreds of millions of dollars from the richest Americans and most powerful corporations coming from, and what is their goal? At least we should know the who. The Supreme Court has said they cannot be stopped under kind of a corrupted vision of free speech; they can't be limited under that Supreme Court decision. But at least we can know the who and have the American people understand better who is behind the funding. That ending of dark money is so important.

Gerrymandering. It is estimated that down the hall in the House of Representatives, there is a 20- to 25-vote bias in favor of one party over the other because one party does more gerrymandering than the other. Well, neither should do that, and it is our responsibility to end that corrupt distortion of equal representation.

Then to the ballot box, there have been 34 laws passed in 19 States that are aimed at one mission, and that is to stop targeted groups of Americans from voting. And who are those targeted groups? Those targeted groups are Black Americans and Hispanic Americans; low-income, inner city Americans; Native Americans on reservations; college students—laws deliberately designed in a laser-focused manner to block certain groups of Americans from voting. That is the powerful who don't want to have the voice of the people working for the people.

We had, last January, a chance to pass a bill in this Chamber, just like they had in 1891, for the civil rights of all Americans. For us, it wasn't the Lodge Act. For us, it was the Freedom to Vote Act—the freedom to vote—that would take on gerrymandering; that would end anonymous dark money; that would proceed to ensuring that every American could get to the ballot box in a fair fashion to vote.

You know, it was in 2020 that we had one State where the wait time to vote in predominantly Black precincts was 5 to 10 times the wait time in White precincts. Don't tell me that is somehow acceptable in the United States of America, that kind of racial bias baked into our election system. It was deliberate. It was planned.

Why is it that President Trump hated vote-by-mail? Well, let me explain it to you. He hated it because it let people get to the ballot box whom he didn't want to vote. He wanted people to have to vote on election day because on election day, you can really, really play the game.

You can move the voting locations from where they were the previous election so people don't go to the right

place. In the places where you don't want people to vote, you put them where there are no parking lots so that it is hard to vote. You put out false information about when the election was, saying: So sorry you missed it. Even though it is this coming Tuesday, people will think it was the last Tuesday.

You can manipulate and obstruct targeted groups of Americans and prevent them from voting much easier on election day than you can with vote-by-mail.

My State of Oregon initiated vote-by-mail. It is the most secure system in the country—every signature compared. You would be more likely to be struck by lightning than be able to find a mistake made in which somebody voted intentionally who wasn't allowed to vote. It is incredibly secure, incredibly appropriate to counteract all of those schemes on election day designed to target Americans.

My colleagues, we have so much work to do to defend the very foundation of our democracy. It is the ballot box. It is the ballot box.

We have to take on the gerrymandering; we have to take on the dark money; and we have to defend the opportunity of every American to vote.

If you came into this room and you swore an oath to the Constitution, you have a responsibility to defend that Constitution and defend the integrity of the ballot box.

The PRESIDING OFFICER (Ms. HASSAN). The Senator from Minnesota.

Ms. KLOBUCHAR. Madam President, I want to thank the Senators who did such a tremendous job today really going through all the arguments for why our democracy is still fragile, why we must stand up for a democracy—so many good ideas.

I especially want to thank Senator WHITEHOUSE for never giving up hope when it comes to campaign finance reform.

I think of John McCain, if he were sitting in here right now—we miss him very much, a friend of both Senator WHITEHOUSE's and mine—and how he stood up for campaign finance reform because he knew it wasn't a Democratic or Republican issue; it was all of our issues.

I think of Senator MERKLEY's incredible diligence and his incredible command of the rules of the Senate and how we can make this place work better, and then Senator KING's very Maine-like independent take on all this, and then, Madam President, your incredible remarks, tying it into—I hadn't thought about that fact, that on Veterans Day, which is always after the election—and your dad's words that an election is just a war of words and it is something you go through in a democracy and it could be really tough, but it is nothing like a real war when people are putting their lives on the line. So thank you for that.

DREAM ACT

Madam President, I wanted to turn to two other issues that are still on our

plates in such a big, big way—still integral, actually, to our own democracy and what we stand for.

The first one—and I am going to be putting later into the RECORD some remarks of Senator DURBIN, who has been such a big supporter of the Electoral Count Act and the like. This is another area—another important, major, major moment for democracy that Senator DURBIN has been leading on, and that is the urgent need to ensure Dreamers can remain here.

I was proud to support and cosponsor his efforts in the past on not just the comprehensive immigration reform, which we know included protections for Dreamers that we passed and which I strongly supported out of the Judiciary Committee—when I first got to the Senate, Senator KENNEDY asked Senator WHITEHOUSE and myself to be the first new Senators involved in the immigration effort, which included protecting Dreamers that President Bush supported. Each time, sadly, we have been stymied in getting this into law. President Obama moved on his own with Executive orders to protect Dreamers, and now their status continues—continues—to be in limbo.

There is an urgent need right now to ensure Dreamers can remain here in the only country that they have ever called home.

We know them in our community as teachers and healthcare workers, builders and firefighters, reporters and entrepreneurs. Like generations of immigrants before them, they have made our country better; but for too long, their livelihoods have been subject to the whims of court decisions and partisan politics.

They are incredibly sad and frustrated that Congress has not been able to come together to make progress. Comprehensive immigration reform should include a pathway to citizenship for Dreamers, or at least right now in this Chamber, we should pass the Dream Act.

I have been working on this for years. We have, many times, come razor-thin close to getting it done. We passed a bill in the Senate, then the House doesn't act; we are close to getting a deal, even during the Trump administration, then the Trump administration gut punches us. You, Madam President, were part of that agreement that would have guaranteed a place in our country that is already in our hearts for our Dreamers.

We cannot wait another day to pass the American Dream and Promise Act and provide these Dreamers with the stability and security that they deserve. They know no other country. Many of them, for decades, have been here working.

I know that Democrats support this bill, and I know that there are a number of Republicans who do, but we are never able to overcome the opposition on the other side of the aisle that is there to bring it forward. The time is long overdue, and we must pass the Dream Act.

AFGHAN ADJUSTMENT ACT

Madam President, the second issue on my mind tonight is the work that we must do with the Afghan Adjustment Act.

This is a bill that I have been working on for the past year. I want to thank Senator COONS, and I want to thank Senator LINDSEY GRAHAM for working with me on this bill. I also want to thank our other cosponsors who include Senator BLUNT, Senator BLUMENTHAL, Senator MURKOWSKI, Senator SHAHEEN, Senator MORAN—who has joined the bill after we made some changes to strengthen the vetting process; his support is very important—Senator LEAHY, Senator WICKER has joined us on this bill now, the incoming ranking member of the Armed Services Committee. Why is that? Because this bill is so important to our military.

So many of these Afghans have worked with our military. They had the backs of our military. They were their translators. They did all kinds of very, very difficult jobs to help our military and freedom in Afghanistan. And when they came to this country, so many of them thought we would be there for them.

Right now, their situation is tenuous, at best. They are in limbo. I can't tell you how many members of our military have come up and said: I don't understand. The Chief of Mission has verified their status.

Half of the Afghans—roughly half of them—who are here right now have been vouched for by our own military.

We have put together the Afghan Adjustment Act based on instructions from the past. We saw what happened to the Vietnamese and the Hmong—I know in my own State we have the second biggest population of Hmong in the country—that they came here and our country knew that we owed them something because they had stood with us. We put them on a path that involved green cards, which is what we are doing here.

All we are trying to do here is actually more intense than what we did back then. I just ask the other Senators to look at the Hmong and Vietnamese in their own communities. They are now many generations ahead. They are police officers. They are serving in the State legislature. They are pillars of their community. And in the Afghans, we have the same possibility.

I remind my colleagues: They are already here. That is why Senator WICKER has now joined us, because there is the belief—and Senator GRAHAM. I am hoping that we will have a group come together tomorrow to talk about this.

Senator GRAHAM understands as well as from his own service, when people have your back overseas in the hardest of times, you do not abandon them when they are in a hard time. That is going to get around the world if we just let them sit in limbo. So this is truly our moment to at least start this process.

What does it mean? Well, it means, according to this bill, that we will be doing a vetting of the Afghans who, I note to my colleagues, are already here. They will submit to additional vetting, including in-person interviews. It makes the process much more orderly and much more thorough, which is why you see conservatives joining this bill.

This bill has earned the support of some of our Nation's most revered military leaders, including Admirals Mike Mullen, William McRaven, James Stavridis, and Generals Richard Myers, Joseph Dunford, Stan McChrystal. They support this bill.

The Veterans of Foreign Wars—the VFW—supports this bill. The American Legion supports this bill. Their members have been here in Members' offices asking them to support it.

I cannot tell you how important it was to Senator COONS and myself to make sure that this bill was bipartisan in nature. We worked very hard all summer to strengthen the bill, to get at the concerns of our colleagues. That is why we have such a strong group of Senators supporting the bill.

This is our moment to get this done. If we are unable to finish it at the end of the year, I consider this not an end but a beginning. We are so close to getting—as I know from my discussions with my colleagues—more and more Republicans on this bill. I think that is because they understand that if we leave these people who helped us in limbo, what will people think the next time when they ask for our help in another country, in another war, in another conflict?

I implore my colleagues to join us in this effort. I am looking forward to tomorrow when we will have a bipartisan group of Senators take the floor. But I didn't want to let another day go by without mentioning how important it is to get this done.

I yield the floor. I know we have been joined by Senator LEE.

The PRESIDING OFFICER. The Senator from Utah.

H.R. 2617

Mr. LEE. Madam President, this bill before us is an act of legislative barbarism. This is an act of extortion being leveraged on the U.S. Senate right before Christmas.

Make no mistake why this happens. This bill, in all 4,155 pages of its glory or infamy, was negotiated in secret by four or five Members of Congress, excluding all others, which means that nearly 330 million Americans were disenfranchised in the production of this legislative behemoth. They wrote it utterly in secret, with the design of creating an artificial emergency, threatening a shutdown right before Christmas.

In fact, they set up government funding to expire the day before Christmas Eve, realizing that that is when Members are at our point of vulnerability. Members of both Houses and both political parties want to get home, under-

standably, to spend the holidays with their families.

It is also the moment when they realize that our constituents are most vulnerable, most fearful of something like a government shutdown. That is when the most pressure will be brought to bear on Members of the House and Senate, Democrats and Republicans, if, Heaven forbid, there were a shutdown.

So at this time of manufactured crisis, it is said that that is the right moment to unveil this bill that they have drafted in secret.

The part that is stunning is that enough Members of the U.S. Senate—a body that prides itself on being this world's greatest deliberative body—would choose to support this bill, never having read it. That really is stunning.

As an entity that strives to be the world's greatest deliberative body, we sure don't act like it sometimes. But we should. Our rules, our traditions, our customs, and our obligation to our constituents demand nothing less.

We and those we represent deserve proper, full consideration and the chance to read, debate, and amend this legislation and not get circumvented through some backroom deal. So opposing this legislation isn't radical. Running our government this way is, and it is indefensible.

It used to be, Madam President, that amendments and debate and discussion were a common practice of the legislative process. It is what the legislative process is all about, in fact. Now, these days, we have to beg, plead, and barter, feeling lucky for any legislative scraps thrown to us underneath the table. That is not the legislative process. It is certainly not a legitimate way to keep our government funded.

There is no greater priority, nothing more impactful than voting on legislation to fund the government, especially when you lump all of the 12 categories of appropriations bills into one giant bill, an omnibus spending package, as we call it. When you have something like that, in theory, you could have a fair process surrounding that, but you would need a considerable amount of time for public notice and debate and discussion and, yes, an opportunity for amendments. A bill like this could be rendered fair if it were cured through weeks of an open amendment process, where this was subjected to discussion and review under the light of day.

Yet here we find ourselves, having received this legislative text. It is not just us who have been excluded. It is not just we who have been excluded. It is the American people, it is the media who have been excluded from this process until less than 24 hours ago. And, all of a sudden, they drop 4,155 pages of legislative text, and they expect us to be ready to go within a few hours, to vote on it—and to vote on it under particularly extortive conditions.

They tell you: OK, we have got this bill now. This bill is ready for you. It is up to you. You have earned your election certificates. You are free to vote

yes, or you are free to vote no. But, by the way, if you vote no, you will be causing a government shutdown, and we will make sure that you are blamed for a government shutdown. And, by the way, we will also threaten to take away not only your Christmas but the Christmases of millions of Americans in the process.

That is not fair. That is not free. That is not operating our government as the constitutional Republic that it was intended to be. It is not even a representative government at that point. That becomes a legislative oligarchy in which a small handful of people—we might call it the law firm of Schumer, McConnell, Pelosi, and McCarthy—puts together a bill entirely in secret and then uses extortion to extract votes out of it.

Tragically, a number of Members seemed to express gratitude for their ability to vote on the finished product: Oh, thank you to our legislative overlords. Oh, thank you. Thanks for making this possible. Thanks for making it happen.

It poses some real problems. We find ourselves in a precarious economic position as a country. We have accumulated over \$31 trillion in debt. We have seen Federal spending explode astronomically just over the last few years. Prior to the COVID-19 pandemic, we were spending no more than about \$4 trillion a year. That was still a lot of money then; it is still a lot of money now.

But if we were just spending now what we were spending then, our budget would be almost balanced. Last year we brought in over \$4 trillion in revenue, and it hasn't been more than just a few years ago that we were spending only \$4 trillion a year.

But what happened during and since the COVID-19 pandemic, commencing in 2020, changed everything. We went from spending about \$4 trillion a year to 6.5, then 6.8 trillion a year. It still hasn't gone back down completely. We are on track to spend about \$6 trillion this year.

That is one of the problems when we fund with numbers this big. The numbers million, billion, and trillion start to run together, and I have made that mistake enough times.

I want to be very clear. So you go from spending \$4 trillion a year to \$6.8 trillion a year, \$6.5 trillion a year—still spending \$6 trillion a year. We are still borrowing, even this year, about \$2 trillion. That is such a staggering sum of money. The way our system works, doing more than just printing it—you have to go through additional steps of selling U.S. Treasury bonds, but it functions in a way that makes it feel almost indistinguishable from just printing money.

It certainly has the same effect on the economy as if you were just printing money because, by definition, inflation is the condition in which you have got too many dollars chasing too few goods. When you just increase the

money supply, you make it less affordable for people to do the things that they need to do. Everything gets more expensive. This is being felt everywhere.

In Utah, the average family is having to spend an additional \$1,000 a month every single month on their basic monthly expenses, not luxury items. I am just talking about the basics: housing, food, fuel, healthcare—\$1,000 a month more. The same basket of goods and services that they were purchasing just a few years ago—in fact, just before the day Joe Biden took office—those things were \$1,000 a month cheaper than they are now.

This is the predictable, foreseeable, and, in fact, foreseen result of the government spending trillions of dollars a year more than it has. It is creating huge problems, serious problems.

Yet no one has been able to answer the question: Why are we still spending \$2 trillion a year more than we are bringing in?

Now that we are looking at the pandemic of COVID-19 as something that is behind us—it doesn't mean the virus has gone away, but we are no longer in a pandemic lockdown situation—there is no reason why we should be incurring ongoing annual deficits of that magnitude. And it is not sustainable, and this is not a victim-free event. This has victims everywhere.

Look, rich people can figure out a way to get through inflationary periods just fine. They can absorb it. It means less to them. They have got savings they can rely on, assets they can liquidate. They will be just fine. In fact, most sophisticated rich people can find a way to get richer during periods of massive inflation because of the inflation itself.

It is really sad. The rich get richer, and the poor get poorer, and it is the government's fault. And it is our fault because we spend too much money. We are the ones causing it.

Bills like this pass. Members of Congress in both Houses and both political parties go out and brag about it. They, predictably, get a lot of praise by the media. They pretty much uniformly love it when we pass big spending bills and hate it when Members vote against it because they are not drinking the Kool-Aid.

So you get short-term praise by the media when you do this. You get criticism when you vote against it. That is why most of our Members end up voting for it, because they want praise. It is understandable to want praise, but at what cost?

When the rich get richer and the poor get poorer as a result of our terrible spending decisions, especially decisions for which a lot of our Members try to escape accountability by saying: Sorry, I didn't want provisions A, B, C, D, and E; I wanted only provisions F and G, and I couldn't get those in unless I voted for the whole package—that is how we get to be \$31 trillion in debt. That is how we get this Federal Gov-

ernment that spends like a drunken sailor in a way that puts drunken sailors to shame everywhere. That is how we get there, because you roll it all into one. This is the Prego spaghetti sauce of spending legislation. You name it; it is in there. It is all in there—4,155 pages long. That is pretty long.

Now, look, when I speak on the Senate floor, I am told that I average about 120 words per minute. I have been told at times that is a little too fast, that I should speak more slowly, but it is the rate at which I tend to speak. Even at this rate, if I were to read this bill, read it out loud on the Senate floor at my usual rate of about 120 words a minute, it would take me 5 straight days. And by 5 straight days, I mean the whole 24-hour period—no bathroom breaks, no sleeping, no lunch breaks, no anything else. Reading 24 hours a day, back to back, at 120 words per minute would take me 5 straight days. That sort of puts it in perspective.

Yet we have gotten this this morning. And, literally, by lunch we were receiving pressure to schedule a final vote on it. So you leave us hanging for months. The fiscal year ended on September 30. We have been operating with a continuing resolution since September 30, and all of a sudden, we get to December 20 and we are told: Oh, you have got to do this right now; we can't operate another day on a continuing resolution—because continuing resolutions are bad now. They are so bad, in fact, you are going to have to vote for this bill or else shut down the government. We can't do this for another day.

That is weird. But it is not just weird; it is devious. It is a corrupt process, and we all know it. The more we countenance this process by supporting bills like this and pretending it is OK when we know it is not, we impoverish the American people, and we do them a grave disservice. Shame on us for doing that.

Look, whether you are a Democrat or a Republican, a liberal or a conservative, you can see that people are getting hurt. You can see that people are poorer because of the Federal Government spending money that it doesn't have.

There are a small handful of people who will get rich off this bill. Everybody else will get poorer by degrees. It is harder to tie those who have gotten poorer and the fact that they are getting poorer—it is hard to tie any one of them—to any individual bill because it happens so subtly and so gradually. That is what makes this so evil by design. But it is intentional, and it is wrong.

The bill is being advertised as a \$1.7 trillion bill, something that is going to cost a total of \$1.7 trillion. But as budget analysis from a number of entities has shown, it is more than that. The Heritage Foundation has conducted some analysis of this bill, and it

has demonstrated that this bill will actually cost taxpayers at least \$1.85 trillion in 2023, thanks to these base appropriations, along with the emergency and disaster spending and the statutory pay-go waiver built into the bill.

Now, the authors of the bill recognize that if the bill were considered according to its own merits, it could not—would not—pass. And there are a whole lot of features in this that fit that description, that couldn't pass on their own. That is why they lump them all together. It takes priorities important to this Member and to that Member, you lump them all into one bill, and then you tell Members: You are not going to be able to vote for any of these things in isolation; so you had better vote for this one or else you will get nothing, and, by the way, you will be shutting down the government at the same time.

There have been a number of people who have helped go through the analysis line by line. My staff has done an enormous amount of analysis, and we have combed through this and tried to figure out what some of the highlights and the lowlights are.

My friend Scott Parkinson identified a series of the lowlights in one Twitter thread. He identified a few that I may point out here.

In one of them, which is good news for the outgoing Speaker of the House, NANCY PELOSI, she is going to have a Federal building named after her on Seventh Street in San Francisco. It will be called the "Speaker Nancy Pelosi Federal Building." Congratulations to her. It is great. It is great. Fantastic.

The Senate Appropriations Committee chairman, my friend and colleague, the distinguished Senator from Vermont, PAT LEAHY, has some earmarks, including a measure renaming the Lake Champlain Basin Program as the Patrick Leahy Lake Champlain Basin Program. That one came at a cost. We had to stuff \$35 million each year for the next 5 years in order to get that. That is a pretty expensive name tag. I mean, gosh, you can buy the naming rights to a major sports arena for a lot less than that. He got that one in.

But I have got to be bipartisan here. I am not going to make this a strictly partisan speech. We have other things in there. Apparently, there are some buildings in the State of Alabama that have yet to be named after our colleague RICHARD SHELBY. I love RICHARD SHELBY, a great man—RICHARD SHELBY, distinguished career. I guess there are some things in Alabama that still haven't been named after him. So he has gotten the facilities that the FBI has at the Redstone Arsenal. Those facilities have been named the Richard Shelby Center for Innovation and Advanced Training. That is great. Congratulations there.

If you are a fan of Presidential museums, this bill has some provisions you might like. This bill adds \$6 million to

the Ulysses S. Grant Museum. He has a museum already. I guess that museum needs some more bling in it. I don't know whether they are going to be gilding the walls of it, but they will have \$6 million to make it really nice.

Some of this stuff is really, obviously, in the category of brazen partisanship. We have \$1.7 billion that is being spent on transportation projects, specifically designed to help fight climate change. That is a lot of money—\$1.7 billion—going to fight climate change. It is not just transportation projects of the sort that are already needed. They are transportation projects specifically designed to fight climate change.

Something tells me that wouldn't have the votes to pass the Senate, if it had to stand on its own. In fact, I am absolutely certain it wouldn't. But never mind, that is what the omnibus is for—another Christmas miracle. Throw it in there.

Some of the more egregiously woke earmarks in the bill include \$1 million going to something called Zora's House in Ohio, which is known as a coworking and community space for gender-expansive people of color; \$750,000 for the TransLatin Coalition; \$956,000 for the Equity Incubator at the Universities at Shady Grove in Maryland; \$791,000 for equitable energy resilience and electric vehicle infrastructure in Sonoma, CA.

I am not sure what "equitable energy resilience" means, but I know it is woke, and a lot of people have to be really happy with that.

And \$477,000 will be going to the Equity Institute in Rhode Island. I don't know what they do there, but it sure sounds like fun if you are into equity programs.

The Federal taxpayer, of course, will be picking up the cost of a \$2.4 million tab for the New England Aquarium Corporation in Boston. They say it is for modernization and educational programming at the aquarium. I love aquariums. It sounds like fun. I love going to aquariums. They are neat. They are great. It is not radical to suggest that the taxpayers in the city of Boston or of the Commonwealth of Massachusetts—hardly poverty-stricken areas of our country—shouldn't be funding that project that is specific to their community. No one has made the case as to why that aquarium has to be built, why this has to be a Federal taxpayer project—but no matter, another Christmas miracle. Just throw it in the omni.

It would also advance the left's attack on the traditional family by funding gender programs in Pakistan and family planning and reproductive health "in areas where population growth threatens biodiversity or endangered species." What the heck does that mean?

I think I know what that means. It is basically insisting that human beings should exist with less prevalence in some parts of the world, and we want to make sure that that doesn't happen

because they might be bad for the environment in those areas. That is what that means.

Why in Heaven's name we should be taking money from a poor farmer in Iowa or from a poor single mother of three in Orem, UT, and sending that to Pakistan to tell people they have to have fewer kids because biodiversity and climate change demand it—I am sorry, that is too far. We do some crazy stuff up here, and sometimes we have to look the other way or we try to look the other way—sort of like you do when you drive past a really awful accident—but on this one, I can't look past that one. That is crazy.

I am not sure I can find more than 20 or 30 Members of this body who would feel comfortable openly, publicly advocating for this—not when you are taking money from a poor farmer in Iowa or a poor single mom in Orem, UT, to send it for that purpose. No matter, it is another Christmas miracle put in the omnibus.

The omnibus includes a total of about 3,200 earmarks. What do I mean by earmarks? Well, earmarks are special interest giveaways. They are targeted spending Congress directs for a particular purpose. Earmarks have been severely abused. And one of the many ways in which they have been abused is through this process of lumping them all in. I have heard them referred to in the past as sweeteners. When Members don't want to vote for a particular bill, you add earmarks to it, strategically allocating them one State at a time so that you can buy off votes. I don't mean buy them off in a legally corrupt way. This is a corrupt process, but it is not corrupt in a way that is legally, judicially cognizable. This is a way in which you accumulate votes by promising sweetheart deals for which Members of Congress will receive praise. The rest of those people won't know or care about the fact that we are sending money to Pakistan to tell people they have to have fewer kids because climate change requires it. They are just glad that they got their handout, their carve-out. That is what creates the corrupt process.

People who defend earmarks are fond of saying: Well, they represent a relatively small portion of total Federal spending. And that is true. The same could be said of the engine car on a train. It is a very small percentage of the length of the train. Yes, but it is what is driving the train.

People who advocate for this bill—I have heard them make this argument many times, including today—they will likewise say: I don't know why you are worrying about this bill because, after all, this bill deals with discretionary outlays, discretionary spending and not mandatory spending, money that Congress gets to decide 1 year after the next as to where it goes; as opposed to mandatory spending, things like Social Security, which are already required to be spent under existing ongoing law.

A lot of people will say that you should vote for this bill because, yes,

we have a \$31 trillion debt, and, yes, we have an annual deficit that is still clocking in at around \$2 trillion a year. But no worry—don't worry about that because the real boogiemaster is the mandatory spending because that is bigger.

Well, it is true that it is bigger, but the fact that something is smaller than something else doesn't mean that you don't have to worry about that. The fact that earmarks are a relatively small percentage of total Federal spending doesn't mean that earmarks don't have a really nasty effect in corrupting our political processes. It doesn't mean that they don't produce bad results. And the fact that discretionary spending is a smaller percentage of total Federal spending than mandatory spending doesn't mean we shouldn't worry about it. It is, after all, the part over which we have discretion. So why we wouldn't worry about it is beyond my ability to comprehend. We have, moreover, dramatically increased the amount and the percentage of mandatory spending in Federal outlays just in the last few years. It is part of what has exploded, as we went fairly quickly from \$4 trillion in total Federal outlays as of 2019 to almost \$7 trillion at the high watermark of the pandemic-era spending.

It is not an answer here to say there is more that we are spending elsewhere. We are still spending this money. This money is still under our control, and we have some responsibility to review it. And that review is rendered more or less impossible to achieve when you pass a bill this way.

This is wrong. It is a corrupt process that uses extortion and fear in order to coerce Members into voting for a bill that they know in their hearts is wrong. They know that this is fraught with all sorts of problems.

There is a part of me that has a much easier time understanding my Democratic colleagues on this one. I am a Republican. I am a conservative Republican at that. And yet I kind of have an easier time grasping and accepting Democrats' support for this. This is much more consistent with Democratic priorities. This is, after all, a Democratic template funding a lot of Democratic policies. They are being consistent with their policy. I have a harder time accepting it as a Republican, a harder time accepting that we are going to have an estimated 20 or so Republicans who are already expressing support for this bill.

Less than 18 hours after this bill first saw the light of day, they already have about 20 Republicans expressing support for it. It baffles me. It baffles me because Democrats openly embrace the idea that they are progressive, that they want more government, that they feel more comfortable with more government than Republicans do. So they are acting in a manner in conformity with their policies, platform, and their history, their traditions, their customs, their priorities—much less so

with Republicans. In fact, this is directly contrary to what Republicans campaign on.

So what will we do when we have 10 to 20 Republicans who immediately support this, a bill that is predictably going to be supported by all 50 Democrats? They are united on this, and hats off to them for keeping their caucus united on this. They are all united. Fifty Democrats are all in lockstep with this. They can't get it passed unless they get to 60, and so they need at least 10 Republicans. We supply those. There are 10 to 20 Republicans who are going to vote for this, uniting the Democrats around Democratic priorities and Democratic policies and Democratic spending levels. So yes, I have a much easier time accepting and respecting those on the Democratic side who do this. They are at least on brand. We are not, and this is one of the reasons, I think, why Republicans lose more than many of us would prefer when we dilute the brand. We dilute the message. We dilute the proclaimed policy preferences for a more responsible process by which we allocate Federal funds. Then we do this? This is tough.

Now, some of my Republican colleagues will respond to this by saying: No, no. This is a win, I promise. They will cite a few things. They will say: Well, this is a big win because, among other things, it contains cuts to IRS funding.

I am sorry, that is really hard for me to accept. Whatever cuts, whatever restraint was shown with regard to IRS funding here is absolutely dwarfed by the fact the IRS just got \$80 billion of supplemental funding in August. So forgive me, but I find that difficult—no—impossible to accept as a legitimate explanation as to why this is a win for Republicans.

To make matters worse, perhaps the most offensive part of this is the Senate Republicans voting for this bill are choosing to forfeit the power that they have, that we have—the power of the purse. It could be used, if wielded more assertively and cautiously, to end the crisis at our border. And it is a crisis.

In fact, this bill, while providing funding for government Agencies, including the Department of Homeland Security in charge of enforcing the border but utterly and defiantly, willfully refusing to do its job—this bill expressly prohibits Customs and Border Patrol funding from being used to improve border security. Let that sink in for a minute. Not only are we losing the opportunity—*forfeiting it* by passing this—to put in aggressive measures requiring border enforcement as a condition and precedent for the receipt of certain Federal funds, we are actually providing their funding and allowing language to be included in there that prohibits them from bolstering border security at a time when we are being besieged by illegal border crossings. This is lawlessness.

So, no, I really struggle with calling this a win. Republicans, especially

given the fact we just had an election and in that election, we went from having a Congress consisting of a Democratic House and a Democratic Senate—and we, of course, have a Democratic White House—now we are still going to have a Democratic Senate, but we are going to have a Republican-controlled House in just a matter of a couple of weeks.

For this reason, I came to the floor last week and twice tried to pass continuing resolutions that would keep us funded on a short-term basis into next year. Had we done that, Congress still may have chosen to enact this spending legislation, which we hadn't seen until about 19 hours ago. It still could have done that, but it wouldn't have been under the extortive threat of a shutdown at Christmastime. Tragically, the Senate declined to adopt that, declined to adopt either of those resolutions and, instead, opted for this position. Why? Because had they adopted either of those continuing resolutions, it would have become impossible to use the extortive threat of a Christmastime shutdown in order to secure votes for this.

So, of course, the proponents of this legislation didn't want that rain on their party to make it harder for them. The American people suffer as a result.

But what you have, Republicans who vote for this bill, they are going to be facilitating Democratic priorities and, by so doing, undercutting the Republican House of Representatives that is about to be sworn in. House minority leader KEVIN MCCARTHY is opposed to this. He has stated publicly and privately he thinks this is a mistake. It is a mistake for Republicans. And it is.

Since 1954, we have seen that the House of Representatives has had a shift in the party in control only five times, each during midterm elections—just five times since 1954. It doesn't happen that often. In all five of those instances since 1954 when it flipped, Congress did not enact a comprehensive omnibus spending package during the lameduck session following the election.

There are a number of reasons for this, including the fact that Members of Congress, I think in both Houses and both political parties, understand elections are supposed to have consequences. It is really inappropriate, I think, at least for Republicans—again, I suppose I have to have a form of respect for my Democratic colleagues in wanting to enact their policies. But I struggle with understanding why Republicans would want to help them in doing that, rendering the incoming Congress less capable of enacting Republican priorities, especially when you consider a couple of things:

No. 1, this spending bill, assuming it passes, which appears certain—just about certain that it will, this will keep the Federal Government funded through the balance of fiscal year 2023, up until midnight on September 30, 2023. That, by itself, is a big chunk, a

very large chunk of the entire time that the 118th Congress will even exist. It is a big piece of that. That part of it will be having a government that doesn't operate under a spending bill with a significant Republican imprint.

But it is not just that. In light of the fact that we are going to have a divided Congress—we are going to have a Democratic Senate and a Republican House, with a Democratic White House—it may be difficult, of course, to pass another omnibus or, perhaps, a series of spending bills. It could end up resulting in more continuing resolutions. Guess what continuing resolutions do? They keep spending levels where they have been. That is where we get to the point where, over time, this has spillover ramifications. The high cost of this bill will far outlast this Congress. It will far outlast the balance of fiscal year 2023. It will last for years.

The Committee for a Responsible Federal Budget recently estimated that over the next decade, this could end up increasing Federal outlays. Just this omnibus spending bill, as compared to a continuing resolution, would likely cost a total of an additional \$2 trillion over the next decade just because of the baselines being shifted. Why Republicans want to do that is beyond my ability to understand. I implore them to reconsider.

There is a good reason why outgoing Congresses in the past have not enacted omnibus spending packages post-election, during a lameduck session, when control of the House has just shifted.

Meanwhile, our border crisis continues to boil over. It is getting worse and worse and worse every day, and it is subjecting far too many people to the harms associated with human trafficking. A very large percentage—by some studies, 30 percent or so; by some studies, it is more like 65 percent—of the girls and women who come across with these drug traffickers who operate as human smugglers bringing them into the United States, making these drug cartels billions of dollars a month—somewhere between 30 percent and 65 percent of the women and girls brought through that process are raped or sexually assaulted in the process.

This has also resulted in fentanyl pouring into the United States, enough fentanyl to kill millions of Americans. We are doing nothing about that in this bill.

As I said a moment ago, what we are doing in this bill is making it more difficult to fund border enforcement. It prohibits the funds going to Customs and Border enforcement from being used for border enforcement to increase border security.

Meanwhile, as our border crisis continues to boil over and we do nothing about it and we plant the seeds for making sure that we can do nothing about it through this legislation—we do nothing about that. We do nothing about that, but we do something else

that is really, really curious. It provides Jordan, Lebanon, Egypt, Tunisia, and Oman \$410 million to secure their borders. That is great. That is just fantastic if you live in one of those countries. This bill is all about Middle Eastern and North African border security; it is not about American border security.

This bill is not America first; it is America last. What we are doing here is putting America last. What we are doing here is putting our constituents last. What we are doing here is putting a small handful of elites first. This bill is the product of Wall Street and K Street, not Main Street.

We have to get back to a process that respects the rights of individual Members. And I call on all within the sound of my voice, Democrat or Republican, House or Senate, all Members of Congress within the sound of my voice, whether you plan on voting for this bill or not: If you are thinking about voting for it, I implore you, reconsider. If not us, who? If not now, when? If we don't stop this at some point sometime, this will continue, and it will continue to weaken America.

We can stop this if—and only if—when—and only when—Members stop supporting this nonsense. I don't care where you are on the political spectrum. You know this is wrong. Let's stop it before it is too late.

Mr. KING. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. BALDWIN).

The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Without objection, it is so ordered.

The junior Senator from Maine is recognized.

Mr. KING. Madam President, I come to the floor tonight as a U.S. Senator from Maine. Why am I here to discuss lobsters on the floor of the U.S. Senate? Because my State is facing its most serious crisis, in my view, in my 18 years of public service on behalf of Maine.

There is a provision in the bill that we will be voting on tomorrow that is of vital, critical importance to Maine, and I believe the country.

In November, a Federal court here in Washington issued a ruling under the Endangered Species Act and the Maine Marine Mammal Protection Act that effectively shuts down the entire Maine lobster fishery in 2 years. It issues requirements that simply can't be met in that timeframe. The only choice will be to shut down the fishery.

What does that mean? What is the fishery? What is the lobster industry?

We talk about the lobster industry. The lobster industry is this guy right here—thousands of small, independent businesses. These boats are not owned by Amazon or Walmart or Whole

Foods. They are owned by individual Maine people, families, generations, in a town like this.

That is what we are talking about. We are talking about the livelihoods of thousands of Maine people that will be cut off by virtue of this decision within 2 years.

Is it a real threat? People are already cancelling orders for boats. The business of the people that make lobster traps is down 25 or 30 percent. People are starting to put their boats on the market because they see this closure coming of an industry that has been a mainstay of the Maine economy for 150 years. Well over a billion and a half dollars a year is based upon this unique, iconic product that comes from the cold waters of Maine.

Now, why am I here? Because this decision of the court that effectively closes our lobster industry down is based upon the idea of protecting the North Atlantic right whale, which needs protection. It is indeed an endangered species. The question is whether the remedy, in this case the closure of the Maine fishery, will actually help in the preservation of the right whale.

I want to start with a couple of data points. Here is the first. This is the number of right whale deaths ever attributed to Maine lobster gear: zero. The number of right whale deaths attributed to Maine lobster gear: zero.

Here is another data point. The number of right whales even being entangled in Maine lobster gear in almost the last 20 years: zero.

So the question is, Is there sufficient evidence for this draconian remedy, the shutdown of the entire industry?

The other data point is that, according to the maps of whale sightings based upon data from the Department of Commerce and NOAA, the whales are moving away from Maine. They are congregating now to the far north, in the Gulf of St. Lawrence, and also around Cape Cod, and I am going to talk about that in a minute. But the number of whales sighted and detected along the Maine coast is steadily declining.

So why are we doing this? Why did the court make this ruling? The judge felt compelled by the law because there may be a risk. There may be a risk.

Is the lobster industry—is this guy—doing anything about that speculative risk? Yes, a lot. Maine lobstermen all mark their gear. So if there is an entanglement and the rope is attached to the whale, you can tell where it came from. They mark their gear.

No. 2, they have changed all the ropes with weaker ropes. So if there is an entanglement, they will break. No. 3, they put weak links in their ropes. So if there is an entanglement, the link will break, and there won't be a problem.

By the way, if these entanglements were happening, the lobstermen would know it. Every lobstermen knows where his gear is. They would know if there is an entanglement. And I have

talked to lobstermen who have been out there for 30 years and have never seen a right whale in the Gulf of Maine. There may be a few out there, but they have never seen one. In other words, it is a very, very low risk.

And, finally, they have changed the way they fish. It used to be—and I remember this—that you would have buoys. You have all seen those picturesque—well, no, that is a mooring. That is not a lobster buoy. But you have a buoy and a rope that is down to the trap on the bottom. And so every trap had its own line and buoy. That is no longer true.

Now they have a buoy, one line, and the trap is on the bottom, which are attached. So you can pull up a number of traps with only one piece of rope.

In the last 10 years, Maine lobstermen have removed 30,000 miles of rope from the Gulf of Maine to mitigate a risk that we are not even sure is there.

Now, I have been in environmental policy all my life. I know about the precautionary principle, which means, if you are not sure, be careful. And I understand that. I understand, if you are not sure, be careful. But this is the precautionary principle run amok where there is so little evidence and the punishment is so severe.

So we are talking about an economic death sentence for an entire way of life. For the town of Stonington, for the thousands—and I mean between 5,000 and 10,000 people who work on the water and thousands more who work in processing and are involved in this industry—over \$1.5 billion a year of economic impact in the State of Maine.

But if you were in court and you said that we are going to impose an economic death sentence, well, here is the way the law looks at things like that. If it is a criminal case, to take away somebody's liberty, it is "beyond a reasonable doubt."

There is no "beyond a reasonable doubt" in this case. It is not even close to "beyond a reasonable doubt."

OK, in a civil case, you have to prove your case by a preponderance of the evidence, that it is more likely than not.

Is there a preponderance of the evidence that the Maine lobster fishery is causing or contributing significantly to the loss of right whales? No, there is no preponderance of the evidence.

How about any evidence? Zero, zero.

Now, a solution to this crisis is in the bill that we will be voting on tomorrow. It is one that the Maine delegation, myself and Senator COLLINS, Congresswoman PINGREE, and Congressman GOLDEN have been working on since this decision. And it is a compromise that has been negotiated between the various people interested in this issue and this body that leaves in place all of those protective measures that I mentioned—the weak links, the weaker ropes, the ropes out of the water, the marking of the gear. All of those stay in place.

Importantly, it provides funding for two purposes. One is the development of gear that will reduce the risk even further—lobster gear, that is. For example, there is a lot of discussion of something called ropeless fishing, which would be traps on the bottom and a buoy on the bottom that can be released by a radio signal, come to the surface, and then you can pull the traps up. So there is no rope in the water.

Now, that is a great idea. The problem is, it is not ready for prime time. It is being tried. There are experiments going on with it. There are some serious problems with it.

For example, currently, if you are a lobsterman, you go out and you see other buoys, and that tells you where other traps are, so you don't put yours down on top of theirs. In this ropeless fishing configuration, until we figure that out, we can't have multiple traps laying on top of each other and becoming entangled.

The other problem is, it is very expensive. We are talking about tens and hundreds of thousands of dollars for the guy that owns this boat. So what the bill provides is funding for research of how to develop this, whether it is ropeless fishing or some other technology that we don't know right now, to mitigate whatever risk there is even further. So that is one funding in the bill.

The other funding is for data to know where the whales are, to know because the problem is what data we have indicates there are practically none along the Maine coast. But we don't know that for sure.

But, again, what we are doing is sentencing this industry to death—economic death—without the information upon which that decision should be made.

And I am very comfortable—I am anxious to work on that data, whether we do it by satellite, by drones, by acoustics. Whatever we do, I want to know where those whales are. I don't think—based upon the data I have seen—that we are going to see that there are many in the area where the lobster fishing takes place, but I am willing to get the accurate answer to that.

So the bill does those two things: funding for research and funding for data collection.

The third thing it does is pause the economic death sentence. It pauses the ruling that says this has to be finished in 2 years because that means the lobster industry—the lobster fishing, the lobster families, the lobster towns—are finished within 2 years. We are talking about a 6-year pause as time to collect the data and develop the gear.

Now, even the advocates, the people who are angry about what we are doing and making wild charges that this is going to immediately lead to the extinction of the whales, which there is just no basis for that, even those people concede that it is going to take 6 to 10 years to develop these alternatives.

What do they expect the people of Maine to do between year 2 and year 10 when their whole livelihoods have gone away?

So what we are doing—what we compromised was a 6-year period that will give us time to develop the technology and to develop the data, and we may find that there are different solutions or that the data may show that no additional restrictions beyond what is already being done are necessary.

I have been involved as an advocate for environmental policy all my adult life. I was the first full-time lobbyist for the Maine environmental community in 1976. I helped to write the Maine billboard law, the Maine bottle bill, and subdivision laws. Interestingly, one of bills I advocated for was right turn on red. Why is that an environmental bill? Because if you are not idling at a gas station, multiply that by millions of people across the country—a big saving on fossil fuel and pollution going into the atmosphere. That was, believe it or not, an environmental issue in the 1970s.

When I was Governor of Maine, one of my proudest achievements was the fact that we put more land into conservation in Maine during my 8 years as Governor than during the entire prior 175 years in Maine combined—more land into conservation than in the prior 175 years combined. And it wasn't by accident; it was something that I felt deeply engaged in when I began as Governor.

In 1987, long before I was Governor or in politics, I was the chair of a group who brought the land for Maine's future into being, which was the—I think it was the second in the country to have a public bond issue for land conservation. This was an initiative that I took on as a private citizen. So I have been involved in these issues.

Here is one more data point. This was my rating by the League of Conservation Voters last year: 100 percent.

So if somebody says, you know, that I don't care about the environment or the whales, that isn't true. I work every day at Edmund Muskie's desk. My office found Senator Muskie's desk, and it is in my office today. They found it in a storage room somewhere here. Edmund Muskie is literally the father of the modern environmental movement. The Clean Air Act and the Clean Water Act he brought to this body.

The Clean Air Act, by the way, passed this body unanimously. Can you imagine that? We can't agree on what time it is around here unanimously.

Edmund Muskie's heritage of the invention, the creation of the environmental movement in this country is one of Maine's proudest achievements, that Ed Muskie was the guy who began that process here in this body some 50 years ago. I sit at his desk. I think about his legacy.

One of his legacies was, how do you talk about these issues? The big argument in Maine when Muskie was talking about protecting clean water and

clean air was payrolls versus pickerel. You know, do we have to choose between payroll, between jobs, and fish? Muskie's answer was no. That is a false choice. We can protect the environment, but we can also understand economic impacts and find ways to navigate whatever potential conflicts there may be. That is Muskie's legacy. We don't have to choose between lobsters and whales. We don't have to choose between the men and women of Stonington or Cutler or Corea or Georgetown or Freeport or Cape Elizabeth and whales. We just have to be sensible about approaching this in a way that will protect the whales but also protect the way of life of these wonderful people.

That is why I am here tonight. That is what we have done in this bill. It is in no way a diminution of the standards of the Endangered Species Act or the Marine Mammal Protection Act; it merely pauses that economic death sentence until we have time to know how to navigate the solution and what the real definition of the problem is. To me, that is good policy. It is what we should do here on all the complicated issues we face.

It is an unbelievable honor and humbling to represent the State of Maine in this body, and I am proud of the fact that we have been able to confront this issue in a way that will enable the lobsters and the lobster fishers and the whales to exist in an ecosystem that is protective of people as well as whales. This is the role that we have here, and I believe we have achieved it in this bill.

I can't leave without thanking my colleague Senator COLLINS, who was instrumental in working the language that we will have before us tomorrow, and my colleagues Congresswoman PINGREE and Congressman GOLDEN in the House, and all the people in these two bodies whom we have worked with to achieve this important piece of legislation.

This is the way we can make good policy—based upon data, science, facts, and common sense—and that is what we have achieved here today.

I yield the floor.

The PRESIDING OFFICER. The junior Senator from North Carolina.

UNANIMOUS CONSENT REQUEST—H.R. 2758

Mr. TILLIS. Madam President, I want to take a moment to talk about history, and then I will be making a unanimous consent request.

One hundred thirty years ago was the first time the Lumbee Tribe of North Carolina sought recognition. But you have to go back about 250 years—but that is not even enough; you have to go back to the colonial times to see a Tribe indigenous to North Carolina who has maintained a culture, maintained a language, done everything they need to do to be acknowledged as a Native American Tribe.

One hundred thirty years ago, they sought recognition, and they were turned away. Every year since then,

they have come to Congress to try to find recognition, and they have failed to do it.

Back in the 1950s, the Congress at that time—and we can talk about that, and I will talk about that in future speeches—at once recognized the Lumbee and then unrecognized the Lumbee.

The Lumbee Tribe in North Carolina is a Tribe that has a distinct culture. They have a distinct language. They are a Tribe that I have been working with for years, since the time I was speaker of the house, helping them continue to preserve a heritage that has existed since the Tribe first formed.

We have been trying to get the Lumbee recognized for several years. As a matter of fact, the bill that I am going to ask unanimous consent for was sent to the Senate on the suspension calendar with huge bipartisan support in the House. And it is not the first time that has happened; it has happened several times. But for some reason, when it comes to the Senate, it goes to die, and I don't understand that.

In fact, I am going to spend a lot more time trying to understand it. I am going to try to understand why the Chickasaw, the Choctaw, and the Cherokee, the Eastern Band in my own State, oppose it. Some of them say it is because of the integrity of the recognition process. I don't believe that, but I am going to go into that discussion with them next year with open eyes and open ears.

But I believe that there is something more sinister involved in their objection to the Lumbee being recognized, and I promise the Lumbee Tribe that every week that I am in the Senate, for as long as I am in the Senate, we are going to cast light on what are the legitimate objections to the Lumbee being recognized. It is time for them to be recognized.

Tonight, through unanimous consent, we could send a bill to the President's desk, and we would right a wrong that has existed for 130 years.

Now, I know there are objections on our side of the aisle. I also understand that this was cleared by all the Democrats—no objections. But I have six on this Senate side that I am going to have to work on, and I have to do my homework. I expect that. I am not lazy. I will do that. But I do want people to understand that this Tribe deserves respect.

This is a Tribe that is just down the road from Fort Bragg. They disproportionately serve in the Army in spite of the disrespect this Nation has directed their way. For over a century, they have served with valor, and they have served with honor. They are serving their community. They are maintaining their heritage, and I believe the time is now that they be recognized.

Now, if that doesn't happen tonight, I want the Lumbee people to know that I am going to continue to fight for

them in the same way that Senator BURR has for almost 28 years.

So I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 522, H.R. 2758. I further ask that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The junior Senator from Mississippi. Mrs. HYDE-SMITH. Madam President, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. TILLIS. Madam President, may I speak for a moment?

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. TILLIS. Madam President, I respect my colleague from Mississippi. We do great work together. This is an area where we have to agree to disagree.

But, again, I want the Choctaw, I want the Chickasaw, I want the Cherokee, and I want every Tribe that has objected to this, while a majority of Native American Tribes support it, to know that we are going to have a lot of quality time together over the next 2 years.

The PRESIDING OFFICER (Mr. MURPHY). The Senator from New Mexico.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. HEINRICH. Mr. President, I ask unanimous consent that at a time to be determined by the majority leader, in consultation with the Republican leader, the Senate proceed to executive session to consider Calendar No. 1271, Lynne M. Tracy, of Ohio, a Career Member of the Senior Foreign Service, Class of Career Minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Russian Federation; that there be 10 minutes for debate, equally divided in the usual form, on the nomination; that upon the use or yielding back of time, the Senate vote on the nomination without intervening action or debate; that if confirmed, the motion to reconsider be considered made and laid upon the table; that the President be immediately notified of the Senate's action; and that the Senate resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. HEINRICH. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations en bloc: Calendar Nos. 701, 1253, 1254, 1256, 1265, 1280, 1283, and 1284; that the Senate vote on the nominations en bloc without intervening action or debate; that the motions to reconsider be con-

sidered made and laid upon the table; that the President be immediately notified of the Senate's action; and that the Senate resume legislative session.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the nominations of Kathy K. Im, of Illinois, to be a Member of the Board of Directors of the Corporation for Public Broadcasting for a term expiring January 31, 2024; Alan J. Patricof, of New York, to be a Director of the Securities Investor Protection Corporation for a term expiring December 31, 2022; Alan J. Patricof, of New York, to be a Director of the Securities Investor Protection Corporation for a term expiring December 31, 2025 (Reappointment); Cynthia Dyer, of Virginia, to be Director of the Office to Monitor and Combat Trafficking, with the rank of Ambassador at Large; Lucy Tamlyn, of Rhode Island, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Democratic Republic of the Congo; Rubydee Calvert, of Wyoming, to be a Member of the Board of Directors of the Corporation for Public Broadcasting for a term expiring January 31, 2028 (Reappointment); Robert E. Primus, of New Jersey, to be a Member of the Surface Transportation Board for a term expiring December 31, 2027 (Reappointment); and Diane Susan Kaplan, of Alaska, to be a Member of the Board of Directors of the Corporation for Public Broadcasting for a term expiring January 31, 2026, en bloc?

The nominations were confirmed en bloc.

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the Majority Leader, pursuant to the provisions of Public Law 117-81, appoints the following individual to serve as member of the National Security Commission on Emerging Biotechnology: Dr. Michelle Roza of Pennsylvania.

STUDENT VETERAN EMERGENCY RELIEF ACT OF 2022

Mr. HEINRICH. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 7939, which was received from the House.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 7939) to make permanent certain educational assistance benefits under the laws administered by the Secretary of Veterans Affairs in the case of changes to courses of education by reason of emergency situations, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. HEINRICH. I ask unanimous consent that the Moran substitute amendment at the desk be considered and