

address which parties should not be given access to the information, as well as the basis for restricting the access.

(4) The Secretary of the Senate or the Senate Sergeant at Arms, as appropriate, shall prepare a response to the protest as expeditiously as possible following the unsuccessful informal resolution to the protest. The response shall generally be finalized within thirty (30) days following the unsuccessful informal resolution to the protest. A copy of the response shall be furnished to the protestor and other interested parties that appear to have a substantial prospect of receiving an award, who shall be provided an equitable opportunity for comment, not more than fifteen (15) days following the issuance of the response noted in paragraph 3.2(c)(4).

(5) Comments must be filed before 5:00 p.m. (ET), unless otherwise stated. Failure of a protestor or any interested party to comply with the time limits set in accordance with this section may result in resolution of the protest without consideration of comments untimely filed.

(6) If the end of a filing period measured in days does not fall on a business day, the next business day shall be the last day of the period.

#### (d) Withholding of Award

(1) When a protest has been filed before award, the Secretary of the Senate or Senate Sergeant at Arms, as appropriate, should not make an award before the protest is resolved unless the Secretary of the Senate or the Senate Sergeant at Arms, as appropriate, determines that the item being procured is urgently needed or other compelling circumstances exist.

#### (e) Time for Decision

(1) Every effort should be made to issue a decision on a protest expeditiously after receipt of all information submitted by all interested parties. The Secretary of the Senate or the Senate Sergeant at Arms shall make their best efforts to resolve protests within one hundred (100) days after the protest is filed.

#### (f) Appeals

(1) Any interested party that submitted comments during consideration of the protest may appeal a decision on the protest. The appeal shall contain a detailed statement of the factual and legal grounds upon which reversal or modification is sought, specifying any errors of law, and shall be submitted to the Chair, by email to [Appeals@rules.senate.gov](mailto:Appeals@rules.senate.gov). A copy of the appeal shall be furnished to the Senate Sergeant at Arms or the Secretary of the Senate, as appropriate, by email to [SAAAcquisitions@saa.senate.gov](mailto:SAAAcquisitions@saa.senate.gov).

(2) Appeals shall be filed no later than ten (10) business days after the basis for reconsideration is known or should have been known, whichever is earlier. The term "filed" as used in this section means received by the Rules Committee, in accordance with paragraph 3.2(f)(1). Appeals must be filed before 5:00 p.m. (EST), unless otherwise stated. Failure to comply with the time limits set in accordance with this section may result in dismissal of the appeal.

(3) The Chair, acting on behalf of the Rules Committee, is the final decision authority on protests involving a Senate procurement. At their discretion, the Chair, acting on behalf of the Rules Committee, may ask the Comptroller General for an advisory opinion.

#### (g) Basis for Sustaining a Protest After Award

(1) A protest will not be sustained after contract award unless it is demonstrated that the protestor was prejudiced; that is, that the protestor would have been awarded a contract but for an impropriety or violation of law, regulation, or Senate rule, that was identified by the protest.

#### (h) Remedies

(1) The Chair, acting on behalf of the Rules Committee, may, in their discretion, order any appropriate remedy in the event of a successful bid protest, including:

(i) The solicitation may be modified and procurement activity resumed.

(ii) An awarded contract may be terminated and procurement activity resumed.

(iii) An awarded contract may be terminated, and award may be made to the protestor, if appropriate.

(2) Nothing in these Regulations precludes the termination or modification of the procurement if such action is deemed to be in the Senate's best interest.

### PART 4 DISPUTES

#### 4.1 General

I. is inevitable that, from time to time, disagreements or disputes regarding the terms or performance of a contract will arise between the Senate and its contractors. The prompt and fair resolution of these matters is in the best interests of the Senate. Informal resolution of disagreements or disputes through negotiated agreement is preferred.

#### 4.2 Dispute Procedures

(a) All disputes shall be submitted to [SAAAcquisitions@saa.senate.gov](mailto:SAAAcquisitions@saa.senate.gov).

(b) For contracts up to \$100,000, the original approval authority shall issue a final determination on all unresolved disputes provided that the determination does not have the effect of increasing the contract cost beyond the approval authority's procurement authority plus twenty (20) percent of the original contract price. Approval authorities may recommend to the Chair approval of a contractor's claim exceeding their authority.

(c) For contracts exceeding \$100,000, the Secretary of the Senate or the Senate Sergeant at Arms, as appropriate, shall issue a final determination on all unresolved disputes provided that the determination does not have the effect of increasing the contract cost beyond the approval authorities set forth in paragraph 1.4(a)(4)(ii). The Secretary of the Senate or the Senate Sergeant at Arms may recommend to the Chair, approval of a contractor's claim that exceeds this authority.

(d) All final determinations from the Secretary of the Senate or the Senate Sergeant at Arms may be appealed to the Chair.

(e) Approval authorities shall notify the Secretary of the Senate or the Senate Sergeant at Arms, as appropriate, whenever it appears that a significant disagreement or dispute is incapable of resolution by negotiation and that it will be necessary to invoke the formal dispute procedures.

(f) All final determinations shall include the following language:

"This determination is made in accordance with the disputes clause and shall be final unless, within thirty (30) business days from the date of its receipt, a written notice of appeal is filed with the Chair of the Senate Committee on Rules and Administration and furnished to the approval authority. The notice of appeal, which must be signed by you as the contractor or by an attorney acting on your behalf, and which may be in letter form, shall indicate that an appeal is intended and shall refer to this document and identify the contract by number. The notice of appeal shall include a statement of the reasons why the determination decision is considered to be erroneous. The Chair of the Committee on Rules and Administration, acting on behalf of the Committee, may ask the Comptroller General for a recommendation on the appeal."

#### 4.3 Time for Filing a Claim

Claims must be filed within ninety (90) days of the date the claim accrued.

#### 4.4 Negotiated Resolutions

Approval authorities may negotiate resolutions involving contract modifications only to the extent such modifications are within their authority.

#### 4.5 Appeal Authority

The Chair, acting on behalf of the Rules Committee, is the final authority for review of final decisions regarding contract disputes and shall be designated as such in all contracts when the determination has the effect of increasing the contract cost beyond the approval authorities set forth in paragraph 1.4(a)(4)(ii). The Chair, acting on behalf of the Rules Committee, may ask the Comptroller General for an advisory opinion.

#### 4.6 Time for Appeals

(a) Appeals from a final determination must be filed with the Chair within thirty (30) business days of the appellant's receipt of the determination in order to be considered by the Chair. For the purposes of this section, "filed" means received by the Rules Committee. Appeals must be filed before 5:00 p.m. (ET), unless otherwise stated.

(b) If the end of a filing period measured in days does not fall on a business day, the next business day shall be the last day of the period.

(c) Failure to comply with the time limits set in accordance with this section may result in dismissal of the appeal.

### TRIBUTE TO RETIRING SENATORS

Mr. CASEY. Mr. President, the end of every Congress brings with it the reality that fellow colleagues in the Senate will no longer serve with us when the new Congress convenes in January. As we rush to complete the work of this Congress and in our eagerness to return home to spend time with our families for the holidays, it is important that we pause to thank departing Members for their years of public service to their constituents and to the country. On December 15, I spoke on the floor to commend the Senate service of my fellow Pennsylvanian, Senator PAT TOOMEY.

Senator PAT LEAHY of Vermont has served nearly 48 years in the Senate, and his list of accomplishments is as long as his tenure. I first got to know Senator LEAHY when I was a new Senator and a junior member of the Committee on Agriculture, Nutrition, and Forestry, a committee that Senator LEAHY once chaired. I was able to work with him and learn from him about all issues related to the dairy farming, which is of particular importance to both Vermont and my home State of Pennsylvania. Senator LEAHY is also known, among other things, for his fierce commitment to human rights around the world, his long-time work advancing the cause of justice on the Judiciary Committee, his outstanding work on the Appropriations Committee, his fierce defense of the Senate as an institution, and, most of all, as the greatest advocate for the people of Vermont that the State has ever known. He has also found time for his personal passion of photography and to appear in five Batman movies. The Senate as an institution and I personally will miss serving with PAT. My

wife Terese and I have been blessed by our friendship with PAT and his wife Marcelle.

The end of this Congress also marks the end of Senator RICHARD BURR's time in the Senate. I have worked with Senator BURR on the Committee on Health, Education, Labor, and Pensions, on which we both sit. We have found common ground on a number of issues, most notably our shared interest in bio-defense and pandemic preparedness, upon which we have worked jointly for years. We led the effort in the Senate to pass the ABLE bill in 2014, which allows people with disabilities and their families to save for care and accommodations related to their disabilities. We also worked to advance out of committee a bipartisan pregnancy discrimination bill, which I still hope to get over the finish line this week. We have also disagreed at times, for example, when we both advocated for our respective States to receive critical title I education funding. I also served with Senator BURR on the Senate Select Committee on Intelligence where, as the senior Republican on the committee, he helped to steer the committee through the treacherous waters of the Russia report detailing Russia's efforts to interfere in the 2016 election and to aid Donald Trump's candidacy. Even when the elements of his own party pressured him to do otherwise, Senator BURR stood up for American democracy and put country before party.

Senator ROY BLUNT of Missouri is also retiring. In agreement or disagreement, Senator BLUNT has been an honest broker, one who worked to try and find common ground and who was honest when he could not. In the past year, he and I have worked successfully to sort through some challenging issues related to pregnancy discrimination and the Congressional Accountability Act. The details of the legislation here are not as pertinent here as the manner in which he engaged in the issue—respectfully, substantively, and productively. He and I have also worked together on adoption issues for many years and together lead a bill to make the Adoption Tax Credit refundable, which allows many more low-income families to benefit. He has been an excellent partner in that effort. I regret that we have not been able to enact that bill into law prior to his retirement, but I will continue to seek its passage in the coming Congress. Finally, ROY and I have worked for years to build and repair bridges in smaller, rural areas of our respective States by allocating additional funds to so-called off-system bridges.

I did not have the privilege of working with Senator RICHARD SHELBY of Alabama when he was a member of the Democratic Caucus in the 1980s, before my time in the Senate. Regardless, Senator SHELBY and I have been neighbors on the third floor of the Russell Senate Office Building, which means that we often find ourselves walking to

vote on the Senate floor at around the same time. Early in my career, I found myself delivering to Senator SHELBY's office a box of ice cream from the legendary Creamery at Penn State, the result of lost bet between Penn State and the top-ranked Alabama football team in 2010. Most recently, Senator SHELBY was critical to bringing back the ability of Senators to advocate for community projects in their home State through the appropriations process. As the senior Republican on the Appropriations Committee, Senator SHELBY has been unwavering in his belief that Senators understand the critical needs of their communities and should have the opportunity to advocate for them. Due to Senator SHELBY's efforts to bring back congressionally directed spending and my advocacy for worthy projects throughout Pennsylvania, communities large and small are addressing critical local needs, from early childhood to infrastructure to healthcare, among others.

Senator ROB PORTMAN of Ohio is also retiring from the Senate this year. Ohio shares a border with Pennsylvania, and, not surprisingly, we share many of the same concerns. For example, we both believe in the critical importance of our manufacturing base to the American economy and the need to support the workers upon whom our manufacturing might is built. We have both been critical of China and its efforts to undermine the American manufacturers and workers, especially in the case of steel production. Senator PORTMAN and I have partnered to protect some of the last American manufacturers of electrical steel from deliberate Chinese market distortion. I have also worked with Senator PORTMAN and his fellow Ohioan Senator SHERROD BROWN on several iterations of legislation called Leveling the Playing Field to help manufacturers respond to unfair market competition from China and Chinese enterprises operating under the protection of the Chinese Government. I also want to note that Senator PORTMAN and I have a shared interest in children's mental health and teamed up recently on S. 4757, the Investing in Kids' Mental Health Now Act, a bill to increase the availability of mental health resources for children.

Finally, I wish to note the departure of Senator JIM INHOFE of Oklahoma from the Senate. A member of the Senate since 1994, Senator INHOFE is known first and foremost as a champion of our military and the men and women who serve our nation. He has served on the Senate Armed Services Committee capably for decades, most recently as the senior Republican on the panel. This year, we honored Senator INHOFE by naming the annual defense authorization bill after him. I am especially grateful to Senator INHOFE and the Armed Services Committee for including the Global Food Security Act in the FY23 Defense authorization bill, which will strengthen our country's effort to promote food security around

the world and also fight extremism and political unrest around the world. This good national security bill is one of many ways in which Senator INHOFE's leadership on issues related to the continent of Africa will continue far after his retirement, as 16 of the 20 countries targeted by the Global Food Security Act's development program are in Africa. Senator INHOFE and I also share a deep concern for the brave Afghans seeking freedom from the Taliban and recently joined together to write to the Biden administration urging it to do all that it could to assist with the evacuation of the students and guardians of the Merefat School, the first co-educational school in Afghanistan and a leading beacon of efforts to promote the education and equity of girls in Afghanistan. Our efforts helped the successful evacuation of hundreds of children and their families who were at risk under the Taliban's brutal regime.

As each of these retiring members leave the Senate for the last time and go home to their families for the holidays, I want to wish them my heartfelt thanks for their years of service to the Senate and to the country.

#### REMEMBERING ROBERT "BOBBY" SILVERSTEIN

Mrs. MURRAY. Mr. President, I rise today to recognize and honor the life of Robert "Bobby" Silverstein, a leader in the disability rights movement, who passed away on November 17 from complications from cancer.

Bobby served in a number of roles in the U.S. House of Representatives and the U.S. Senate, including as staff director and chief counsel for the Subcommittee on Disability Policy of the Senate Committee on Labor and Human Resources, now the Committee on Health, Education, Labor, and Pensions. He drafted, negotiated, and helped pass landmark bipartisan legislation, including the Americans with Disabilities Act and critical amendments to the Rehabilitation Act, the Individuals with Disabilities Education Act, and the Developmental Disabilities Assistance and Bill of Rights Act, improving the lives of millions of people with disabilities.

Bobby was an effective leader known for building consensus and his dedication to critical analysis and the basic principle of fairness. Bobby received dozens of national awards honoring his contributions, including the Distinguished Services Award of the President of the United States in 1993. Bobby improved the lives of people with disabilities by enshrining in Federal law their fundamental rights to full participation, equal opportunity, independent living, economic self-sufficiency, education, and employment. He has immeasurably shaped the disability and civil rights movement for the better, and I join former chairs of the HELP Committee in recognizing all of his contributions.

After leaving Congress, Bobby continued to dedicate himself to disability