

“(B) the offender is present in the United States, regardless of the nationality of the victim or offender.”; and

(2) by adding at the end the following:

“(e) NONAPPLICABILITY OF CERTAIN LIMITATIONS.—In the case of an offense described in subsection (a) and further described in subsections (c)(1) and (c)(3), an indictment may be found or an information may be instituted at any time without limitation.

“(f) CERTIFICATION REQUIREMENT.—

“(1) IN GENERAL.—No prosecution for an offense described in subsection (a) shall be undertaken by the United States except on written certification of the Attorney General, the Deputy Attorney General, or an Assistant Attorney General, which function of approving prosecutions may not be delegated, that a prosecution by the United States is in the public interest and necessary to secure substantial justice.

“(2) OFFENDER PRESENT IN UNITED STATES.—

For an offense for which jurisdiction exists under subsection (b)(2)(B) (and does not exist under any other provision of subsection (b)), the written certification required under paragraph (1) of this subsection that a prosecution by the United States is in the public interest and necessary to secure substantial justice shall be made by the Attorney General or the Deputy Attorney General, which function may not be delegated. In issuing such certification, the same official shall weigh and consider, among other relevant factors—

“(A) whether the alleged offender can be removed from the United States for purposes of prosecution in another jurisdiction; and

“(B) potential adverse consequences for nationals, servicemembers, or employees of the United States.

“(g) INPUT FROM OTHER AGENCY HEADS.—The Secretary of Defense and Secretary of State may submit to the Attorney General for consideration their views generally regarding potential benefits, or potential adverse consequences for nationals, servicemembers, or employees of the United States, of prosecutions of offenses for which jurisdiction exists under subsection (b)(2)(B).

“(h) NO JUDICIAL REVIEW.—Certifications under subsection (f) and input from other agency heads under subsection (g) are not subject to judicial review.

“(i) RULES OF CONSTRUCTION.—Nothing in this section shall be construed as—

“(1) support for ratification of or accession to the Rome Statute of the International Criminal Court, which entered into force on July 1, 2002; or

“(2) consent by the United States to any assertion or exercise of jurisdiction by any international, hybrid, or foreign court.”.

The bill (S. 4240), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. DURBIN. Mr. President, I will come to the floor later this morning or early this afternoon to discuss this bill, which Senator GRAHAM joined me in cosponsoring, to say the United States should never be a safe haven for war criminals, regardless of where they committed their crimes. I will speak to that at a later moment.

EXECUTIVE CALENDAR—Continued

TRIBUTE TO CHERI BUSTOS

Mr. DURBIN. Mr. President, early in my political career, I learned an important lesson: If you want to succeed, you don't go it alone. For every major deci-

sion, you need a trusted friend to turn to, someone who will be honest with you and steer you in the right direction.

In my life, I have been lucky to have many friends who pass that test, including my mentors: Paul Douglas, the United States Senator from Illinois, who introduced me to this world when I was a college senior; and my predecessor in the United States Senate, Paul Simon. Another Illinois legend who joins that rank is Gene Callahan.

Paul Simon and Gene Callahan were two of the hardest working and most grounded people I have ever known. They were public servants in every sense of the word. The two of them pioneered an approach to politics that I have tried to live up to: return every phone call; respond to every constituent; always, always, always remain true to your values.

Sadly, both Paul Simon and Gene Callahan have been gone for many years, but their legacy lives on in a public servant who has perfected their model for leadership. That public servant's name is Congresswoman CHERI BUSTOS. For the past 10 years, she has represented Northwest and Central Illinois in the House, and she happens to be Gene Callahan's daughter.

Since Cheri was first elected in 2012, she has lived, breathed, and fought for every family in the 17th district. From providing the best constituent service in the House to securing more funding for her district than any other Democrat in the House, Cheri quickly set herself apart as one of the brightest leaders in our State's history.

She will be retiring at the end of this Congress, but before she heads home, I want to take a moment to share how proud I have been to watch our MVP from East Moline emerge as the All-Star champion of the United States Congress.

Cheri grew up in a family that stressed the importance of public service. Her grandfather, Joe Callahan, was a hog farmer and a New Deal Democrat who represented one of Illinois's most rural counties in the State general assembly. He instilled in Cheri a deep appreciation for rural America and the family farms that feed our Nation.

Whenever the State legislature was in session, Grandfather Joe would stay with Cheri, Gene, and the rest of the family in Springfield. It was during that same period that I first met Gene Callahan. The two of us were working for then-Lieutenant Governor Paul Simon.

Gene would invite me, Paul, and sometimes even Senator Alan Dixon over to the House for a spirited conversation about the news of the day. It was truly a “kitchen cabinet.” Oftentimes, when we sat at the dinner table dishing about politics, we were joined by another youngster, a participant. A young Cheri Callahan was around, listening carefully. It is where she learned her first lessons in politics.

Growing up, Cheri was passionate about a lot more than politics. In high

school, she was a force to be reckoned with on the basketball court. Just as importantly, she understood the value of being a team player—so much so that in college, she was picked as the MVP on both the basketball and volleyball teams.

That is a quality that really defines CHERI BUSTOS—from the basketball court to the floor of the House, she is a team player who is in it to win it—not just for herself but, more importantly, for the people who were counting on her.

Throughout her life, Cheri's passion for victory has been surpassed only by a capacity for empathy. She always listens. It is another lesson she learned from her dad, Gene, and her mom, Ann, and Paul Simon. All of whom, like Cheri, had something to do with public service, either by participating in journalism, public service, or supporting those who do.

In Cheri's case, she was a reporter with the Quad-City Times for 17 years. She started on the night shift as a police reporter. It was a tough job and doesn't pay a lot, but Cheri struck gold. While working for the Quad-City Times, she met a young sheriff named Gerry Bustos. And all these years later, they are happily married with three children and two grandkids.

Cheri won her first election in 2007 for a seat on East Moline City Council. I know that she won it because I knocked on doors for her. A few years later, she called me and said: I am moving on up. I want to run for Congress. I will admit, my wife and I were surprised. Making a leap from city council to Congress is not for the faint of heart, but Cheri was an obvious natural.

That first campaign began in the kitchen with one staffer: her nephew Brad. The two of them traveled all over northwest and central Illinois in his car, which had no working air conditioning and was pretty much held together with duct tape. But like Gene had taught her, Cheri showed up to every event, every townhall, every fundraiser, every phone bank. It was a heartfelt campaign that started off on a shoestring. That November, Cheri won that tough district by eight points.

A couple of months after her victory, Cheri and Gerry made their nearly 15-hour drive to Washington with a U-Haul hitched to their Jeep Wrangler. It was the beginning of an amazing congressional career.

During the first term, Cheri launched “Cheri-on-Shift,” her practice of working alongside constituents at their jobs. In Cheri's words, the Cheri-on-Shift experiment gave her “a feel for what people do for a living, how they support their families, their struggles, why they take pride in their jobs.”

Over the past decade, Cheri has served drinks at the Golden Hen Cafe in Galena, planted soybeans with a farmer in Galesburg, and taken care of senior citizens at the Lifescape facility

in Rockford. She has done everything from cleaning an ice rink with a Zamboni to trying her hand at beekeeping. And with every Cheri-on-Shift, she would ask her constituents: What do you need from me in Washington?

Just ask her staff. The answers to those questions made all the difference in Cheri's office.

Consider the case of a nurse in Galesburg who told Cheri she was so concerned about the lead pipes in her home that she was planning on dropping out of nursing school to cover the cost for replacing them. Cheri told her: We are going to do this right. And soon, she learned it wasn't just one nurse who was suffering from lead pipes, but the entire community.

So Cheri kept her promise to that nurse. She found the Federal and State dollars to help make things right in Galesburg.

If you want to see the difference that can be made, look at what Cheri has done for the Rock Island Arsenal. When I entered the Senate, the Rock Island Arsenal was on its last leg. I'm sorry to say, there were people at the Pentagon determined to close it. I was not going to let that happen, but I needed the right partner—and that partner was Cheri. Today, the Rock Island Arsenal's future is bright. We worked together with TAMMY DUCKWORTH to secure hundreds of millions of dollars in funding and projects to upgrade that facility.

In fact, the Rock Island Arsenal will soon be home to the largest 3-D printer in the world, which will build lighter, cheaper, and safer frames for military combat vehicles. It is one of the many ways that Cheri has helped position Illinois to lead in the future of manufacturing with union workers at the helm.

Justice and opportunity for all—that has been Cheri's passion since she was the little girl that I first saw at the Callahan dinner table. It is the passion that has defined her years in public service and her decade in Congress.

One of her final acts in Congress is one that will have impact across America for decades to come. She passed a law to end forced arbitration for sexual assault survivors. After she steered that bill through the House, I had the honor of working on it successfully as chair of the Senate Judiciary Committee. This law will ensure that every survivor can have their day in court. And it wouldn't have happened without CHERI BUSTOS.

So it is sad for me that Cheri is leaving at the end of this term. It is worth noting that in returning home, she has remained true to those who sent her here. You see, Cheri is a strong believer in stepping out of your comfort zone. She says it is "where the magic happens." And it is a theme throughout her career. Every 10 years or so, Cheri switches gears—from journalism to healthcare to city council to Congress; and, now, I don't know what the next step will be.

I think I speak for every resident in Illinois's 17th district in saying: Cheri, we can't wait to see what you achieve next. My wife Loretta and I are amazed, but not one bit surprised, to see how far you have come. You see, we have trusted you for a long time—when you were a babysitter for our kids, the graduate of Illinois Women's Institute for Leadership, the IWIL Training Academy, to one of the most accomplished legislators and constituent advocates in the House of Representatives.

Somewhere out there, both Gene and Ann Callahan are beaming with pride with what their daughter has achieved.

I want to wish a wonderful holiday season to Cheri, her husband Gerry, her sister Lynn and her husband Al, her three kids, Tony, Nick, and Joey, and their daughters-in-law, as well as the grandkids. Now that you are retiring, I am sure you will have plenty of time for dancing to Stevie Wonder around the Christmas tree.

FDA

Mr. President, in July, the FDA Commissioner Robert Califf requested an external review of the Agency's food offices.

It was months after the infant formula crisis began, when a bacterial outbreak forced Abbott to shut down one of the largest formula facilities in the country and sent parents into a panic. Remember, this crisis could have been prevented by the FDA. FDA inspectors found several compliance issues at Abbott's Sturgis plant in September 2021. The Agency also received a complaint about that same exact facility in October 2021. But, they didn't ask Abbott to initiate a recall or warn the public until February 2022.

This wasn't the first time FDA has failed to prevent an outbreak though. This year alone, the FDA has opened more than 25 investigations into foodborne illness outbreaks. So I was glad when Dr. Califf recognized that the FDA has fallen short of its responsibility to protect Americans, and turned to the Reagan-Udall Foundation to conduct an external review. It was long overdue.

This month, the foundation completed its review. Its report concluded that the FDA's culture, structure, and lack of funding have undermined its effectiveness. The foundation found that, "there is no clear leader or decision-maker" in FDA's food offices, which tips the scales "in favor of inaction, minimizing risk, and maintaining the status quo."

Inaction, minimizing risk, and maintaining the status quo—Americans deserve so much more. They deserve the fundamental assurance that what they feed their families won't make them sick. That is exactly why the foundation concluded its report by calling on FDA and Congress to implement structural reforms. Specifically, one of the options the foundation recommends is that FDA to be separated into two agencies: the Federal Drug Administra-

tion and the Federal Food Administration. As it happens, I introduced legislation earlier this year with Congresswoman DeLAURO that would do just that: the Food Safety Administration Act.

The Reagan-Udall Foundation also encouraged Congress to take a close look at the FDA's funding and resources. Consider the fact that the FDA had just nine employees working in the infant formula office when the crisis hit. That is nine people overseeing a \$3.5 billion industry—absolutely unacceptable. We need to do better than that.

Commissioner Califf needs to act on the foundation's recommendations as soon as possible. We, in Congress, need to address this issue with the seriousness it deserves as well. All of us have family members, friends, and constituents who have fallen ill after a meal—or even died. Let's reform the FDA before the next crisis.

I yield the floor.

The PRESIDENT pro tempore. The Republican whip.

BROADBAND

Mr. THUNE. Mr. President, as a resident of a rural State, expanding rural broadband access has long been a priority of mine, and I am not the only one.

Over the years, Congress has dedicated significant resources to closing the digital divide, and that has been especially true over the past 3 years. Congress has appropriated a lot of money for broadband lately—"a lot" being \$79 billion, to be precise—dedicated solely to broadband-related projects—\$79 billion on top of the billions of dollars the Federal Communications Commission disburses annually under its Universal Service Fund. That is an unprecedented amount of money. In fact, with that much money, we ought to be able to deliver gold- and diamond-laced broadband to every household in the United States.

Appropriating money is not enough. We could throw trillions of dollars at the rural broadband problem and still not close the digital divide. All of the money in the world is useless if it is not being spent the right way. As I said, we have enough money now that we ought to be able to deploy gold- and diamond-laced broadband across the country, but I have serious questions about whether this money is actually going to meaningfully move us toward closing the digital divide. The money we currently have, as much as it is, is spread out over 15 separate Agencies and 133 programs—133 programs. To say that that is not conducive to a coherent rural broadband strategy would be an understatement.

Now, the lion's share of the funding does go through one Agency—the National Telecommunications and Information Administration, or NTIA—but it is an Agency with a very poor record of efficiently disbursing broadband funding. The last time Congress provided NTIA with a big infusion of

broadband funding—by the way, a fraction of the funding it is now responsible for—the Agency struggled with its implementation and ended up overbuilding existing broadband networks, resulting in billions of taxpayer dollars being spent with little to show. I have seen very little to convince me that NTIA is likely to do much better this time around.

In July of last year, the NTIA called for volunteers—volunteers—to help determine how to allocate the \$1.5 billion that Congress had provided to NTIA to improve broadband access—volunteers. Yet Congress has now put the Agency in charge of distributing the \$42.5 billion in the Broadband Equity, Access, and Deployment Program.

I am deeply concerned that, without serious oversight, the NTIA will make and is already making similar mistakes in managing its current broadband programs, which is why, earlier this month, I began an oversight effort to review the numerous Federal broadband programs. The oversight of how Federal broadband dollars is being spent is necessary to make sure that Agencies aren't misusing billions of taxpayer dollars and, most importantly, to make sure the funding is going to the areas that are actually unserved.

I have already requested input from a diverse group of stakeholders to identify ways that we can improve broadband programs—and broadband policy more generally—as we head into the 118th Congress, and I have requested that Federal Agencies provide information on their efforts to improve broadband infrastructure siting, which is a key component of deploying broadband networks.

In the new year, I will work on compiling these responses and presenting stakeholders' concerns to the NTIA, to the Federal Communications Commission, to the Department of Agriculture, and to the Treasury Department. If changes need to be made to the programs Congress has established, I will do everything that I can to hold Congress and Federal Agencies accountable for making those changes so that all of these programs work as effectively as possible and as Congress intended.

To expand rural broadband access and actually close the digital divide, it is not enough to just appropriate money. We also need to make sure that money is being spent in the right way. I am committed to doing everything I can to ensure that the money that has been appropriated for rural broadband actually goes to expanding access to those who are currently unserved.

I yield the floor.

The PRESIDENT pro tempore. The Senator from Washington State.

HEALTH, EDUCATION, LABOR, AND PENSIONS
COMMITTEE

Mrs. MURRAY. Mr. President, I have had the honor over the past several years to lead the Health, Education, Labor, and Pensions Committee. It is a

committee that I truly feel represents the heart and soul of our country's values. As I prepare to hand over the gavel now to my colleague Senator SANDERS in the new Congress, I want to take a moment to reflect on the incredible work we have done on our committee and to recognize the many people who have made it all possible, especially my colleagues on the committee over the last 8 years, who worked time and time again across the aisle to solve tough problems together, from healthcare to education, to supporting workers and retirees, and working to ensure that everyone can live with dignity and respect. The issues that we tackle are the issues families across our country face in their everyday lives, and they are the issues I constantly hear about when I am talking with people back home in Washington State.

During my time as the top Democrat on this committee, spanning three Presidential administrations, we have had so much to talk about. After all, a lot can happen in 8 years, especially when you push, every day, to work with your colleagues to make progress for our families.

We have made sweeping changes to help students and families, defended and expanded healthcare coverage, and worked to bring down drug costs. We have updated and expanded worker training. We have helped to expedite and expand our national efforts to bring cutting-edge medicine to millions. We have addressed the unfair practice of surprise medical bills and more—all before we worked to face the COVID pandemic.

During our COVID response efforts, we were able to bring about the largest Federal investment in childcare ever. We provided significant resources to get all kids safely back in the classroom and address students' academic and mental health needs, which the pandemic worsened. We made historic investments to ensure seniors and people with disabilities can get the care they need to live independently, and we saved the pensions of over a half a million workers and retirees and counting.

But if I had to pick one moment that set the tone for my time in leading this committee, I would have to say it was right after the 2014 election, when I was preparing to take over as ranking member and Senator Alexander was the incoming chair. As every colleague in this Chamber knows, Senator Alexander was a true partner and was always wanting to sit down and find solutions to problems. For 6 years, we continued the longstanding HELP tradition of finding bipartisan solutions to issues, large and small.

Early on, we sat down and found that we both were hearing from schools and educators and parents who all agreed that the No Child Left Behind law was not working. We had to do better. It was time to replace the No Child Left Behind Act. Now, Senator Alexander, my partner across the dais for 6 years,

had said before that he had initially been thinking of just moving forward on a partisan bill. Thank goodness that did not happen. He chose to work with me. Together, we followed his old 80-20 rule of finding the 80 percent where we could agree and working on that to help American families. Instead of staking out partisan positions, we staked out common ground with a bipartisan draft bill, which ultimately became the Every Student Succeeds Act.

That was one of the first of many bipartisan breakthroughs HELP has made over the last 8 years. But in following that model, it was far from the last. In fact, 1 year and 3 days after President Obama signed ESSA into law, he was signing another massive bipartisan HELP bill—the 21st Century Cures Act—a package of policies focused on advancing biomedical innovation for patients and families. Our bill also included sweeping mental health reforms championed by Senators MURPHY and CASSIDY. It focused on addressing the opioid crisis, and it created the Beau Biden Cancer Moonshot. We built on that work even further with our 2017 FDA user fee package. Even now, Senator BURR and I are strengthening that legacy in our end-of-the-year package.

Senator Alexander and I also worked with Senator CASEY, Senator Enzi, and others to strengthen our workforce with a bipartisan reauthorization of the Perkins Career and Technical Education Act, which invests in students and workers by giving them the education, skills, and training they need so they can get better jobs and higher wages, and it includes accountability measures to help improve programs and ensure that people aren't falling through the cracks.

In working with Senator HASSAN and Senator CASSIDY, we passed the No Surprises Act to finally end surprise medical bills and establish new price transparency rules for hospitals. Our legislation has already stopped millions of people from getting hit with exorbitant bills for the care they thought was covered, including 2 million patients in Washington State.

Senator Alexander and I also passed the SUPPORT for Patients and Communities Act in order to fight the opioid crisis and help those on the frontlines of that effort. It is painfully clear, in light of the sharp rise in the youth mental health crisis and the deadly new threat of fentanyl, that there is more to do here, which is why Senator BURR and I have been working around the clock this year on the bipartisan package of mental health and substance use disorder policies that are now included in the omnibus.

Then, of course, there was COVID-19. On the HELP Committee, we worked quickly to respond to the pandemic, in the spring of 2020, with historic bipartisan relief bills and regular bipartisan briefings and oversight hearings to press the administration about the issues with our pandemic response. The

many packages we put together addressed so many facets of our response—from getting shots into arms to getting kids safely back in school for in-person learning, to getting our businesses open, and to getting people back to their daily lives.

Senator BURR and I have continued to work to provide oversight of our COVID response and to craft bipartisan legislation to make sure we fully learn the lessons of this pandemic. That has been a life passion for him. Even before the pandemic, Senator BURR was a leader on these issues. As a hearing witness once put it, he is the “papa of PAHPA,” the bill which is the foundation of our public health and pandemic preparedness system. I could not have asked for a better partner across the aisle to work with me on strengthening that foundation these last 2 years.

I will miss Senator BURR and his passion and desire to get things done. I join all of my colleagues in wishing him the best as he gets some well-earned grandparent time and being jealous of how much fishing he is going to be fitting in over the next few years.

Thanks to our joint focus, we were able to include most of our bipartisan PREVENT Pandemics Act into this end-of-the-year omnibus, along with an impressive suite of other bipartisan bills, like the FDA package I alluded to earlier, which, among other steps, includes policies to address the infant formula shortage, to reform accelerated approvals, and to improve diversity in clinical trials. Our FDA package includes a bipartisan cosmetics reform as well. This is something we have been trying to get done since Senator KENNEDY was chair of this committee, and I am so glad we are finally getting it across the finish line.

The omnibus also includes bipartisan deals we negotiated to bolster families’ financial security through greater access to retirement plans, better information about fees and lump sum pension buyouts, and new emergency savings accounts, and to respond to our Nation’s mental health and substance use disorder crisis, which the rise of fentanyl has made so much worse.

Mr. President, this is so important. I have heard from so many heartbroken parents who have lost a child to suicide or to drug use, too many first responders who are feeling overwhelmed by the sharp rise in overdoses, too many kids who are struggling with depression and stress and anxiety. Getting them help has been a priority for me all year.

The package that Senator BURR and I negotiated includes valuable steps to strengthen the new 9-8-8 suicide hotline, makes it easier for people to get substance use disorder treatment, helps tackle the opioid crisis head-on, has critical support for mental health care for our kids, and more.

Amid all this work on the HELP Committee, I have also been fortunate to have Senator BLUNT as my partner on the LHHS Appropriations Subcommittee. We worked on a parallel

track, in a bipartisan way, to provide historic support for biomedical research, more than triple the size of our childcare programs, fund new CDC programs to look at issues like maternal mortality and gun violence, make progress toward my goal of doubling Pell grants, and more.

I am honored to have played a part in so much progress over the past few years. Of course, I could not have done it without willing partners down the dais and across the aisle. I didn’t always agree with Senator Alexander or Senator BURR or Senator BLUNT, but I have always trusted them to hear me out, to understand that families sent us here to fight problems, not fight each other, and to make a sincere effort to find common ground.

Speaking of common ground, Senator BURR has several lessons that he actually shared in his farewell speech last week, and I want to take a moment to heed one of those lessons now.

Thank your staff. They are actually the reason you are here. It isn’t you.

I couldn’t agree more. We couldn’t hold a single hearing or confirm a single nominee or pass a single bill without them. Simply put, we couldn’t do our jobs without the many staff members who are so dedicated to doing theirs.

So I want to thank the nonpartisan committee staff—led by the chief clerk, Chung Shek—who have supported both sides over the past 8 years, helped us put together so many hearings, and allowed us to make unprecedented adaptations during the COVID pandemic.

I want to thank the staffs of Senators Alexander and Burr for their cooperation and collegiality—in particular, David Cleary, and Lindsey Seidman.

Most of all, I want to thank the many, many members of my team, past and present, who have done so much. There are way too many to name. I am just going to name a few. I will submit the full list for the record. Nick Bath, health policy director for all 8 years; Kara Marchione, my education policy director; Amanda Perez, my labor policy director; Kendra Isaacson, my pensions lead; Amanda Lowe, my disability lead; Carly Rush, my oversight lead and general counsel; Anali Alegria, my HELP communications director; and so many others, current and past—I want to thank them all. They have been precious to me, and I appreciate their friendship, their hard work, and all they do to help the American people. Of course, I want to thank our “fearless leaders”—my staff director, Evan Schatz, and deputy staff director John Ryder, who have done a fantastic job steering my team over the past 8 years.

Thank you all. I am so grateful for all that you have done for me and for what you have done for all the American people. It is clear that you understand we aren’t just writing words on a page; we are writing policies that shape the lives of families across our country

and the future of our Nation. That means so much to me because I know what it is like to be one of those families who are hanging by a thread. I know just how personal the HELP Committee’s work can be, what it is like to try and get by on a tight budget.

You see, my dad got sick with multiple sclerosis when I was young, and that meant he couldn’t work. Thank goodness the VA helped cover his medical bills. So with my dad sick, my mother had to work while raising seven kids. To make ends meet, she was able to take advantage of a Federal work program so she could get a decent job as a bookkeeper. And my brothers and sisters and I were all able to afford college thanks to Federal grants and student loans. So I am here because our government had our back.

I also remember in the days before Roe a friend who was not able to safely get an abortion, and ultimately she lost her ability to have kids because politicians put their ideology ahead of her health.

As a mom in tennis shoes, I got into politics to advocate for a preschool program that my kids were in that the State was threatening to cut.

So this work of the HELP Committee is deeply personal to me. As a former preschool teacher, as a mother, and as a grandmother, it has meant so much to me to have this opportunity to lead us forward on so many issues that motivated me to get involved in politics in the first place.

Now I look forward to continuing that work in the new Congress, both as a member of the HELP Committee under Chair SANDERS and Ranking Member CASSIDY and as the chair of the Appropriations Committee, working alongside my friend Senator COLLINS.

I plan to tackle that new role with the same approach that has proven so effective over the past 8 years leading the HELP Committee because there is still much work to be done to ensure that healthcare is truly a right, not a privilege; that every kid can get a high-quality public education; that every parent can get childcare; that every worker has a living wage and a safe workplace and paid leave and a secure future; and that every woman can get abortion care and make their own healthcare decisions; and to tackle the harsh realities of unequal or downright unfair systems that have held too many families back.

Our Nation is facing so many crises at this moment—the childcare crisis, the mental health and substance use disorder crisis, the economic challenge of recovering from this pandemic, global challenges like supporting our allies and standing up for democracy—and we are not going to solve them by fighting each other. Our best bet for meaningful progress next Congress is to work together and to listen to each other.

So I am going to continue listening to the people of Washington State,

bringing their voices and their concerns here to Washington, DC, and urging my colleagues to work with me to focus on making their lives a little easier.

I am going to continue coming to work every day, asking, how do we help the people we all represent? How do we solve problems for everyone? And who is willing to work with me?

I yield the floor.

CERTIFICATE OF APPOINTMENT

The PRESIDENT pro tempore. The Chair lays before the Senate a certificate of election to fill the unexpired term created by the resignation of former Senator Kamala D. Harris, of California. And the certificate, the Chair is advised, is in the form suggested by the Senate.

Hearing no objection, the reading of the certificate will be waived and be printed in full in the RECORD.

There being no objection, the certificate was ordered to be printed in the RECORD, as follows:

STATE OF CALIFORNIA

CERTIFICATE OF ELECTION FOR UNEXPIRED TERM

To the President of the Senate of the United States:

This is to certify that on the 8th day of November, 2022, Alex Padilla was duly chosen by the qualified electors of the State of California a Senator for the unexpired term ending at noon on the 3rd day of January, 2023, to fill the vacancy in the representation from said State in the Senate of the United States caused by the resignation of Kamala D. Harris.

Witness: His excellency our Governor Gavin Newsom, and our seal hereto affixed in the City of Sacramento, this 16th day of December, in the year of our Lord 2022.

GAVIN NEWSOM,
Governor of California.
SHIRLEY N. WEBER, PH.D.,
Secretary of State.

[State Seal Affixed]

ADMINISTRATION OF OATH OF OFFICE

The PRESIDENT pro tempore. If the Senator-elect will now present himself to the desk, the Chair will administer the oath of office.

The Senator-elect, ALEX PADILLA, escorted by CHARLES E. SCHUMER, advanced to the desk of the President pro tempore; the oath prescribed by law was administered to him by the President pro tempore; and he subscribed to the oath in the Official Oath Book.

The PRESIDENT pro tempore. Congratulations, Senator.

(Applause.)

The Senator from New York.

Mr. SCHUMER. Mr. President, before the HELP staff leaves, I just want to thank all of you and, of course, Chair MURRAY for the amazing job you have done in the last 2 years. I know that many of you will continue working to continue to help people with their health, their education, and their labor policies. But it has been a great 2 years

for the Senate, and it couldn't have been done without PATTY's leadership and your great staffing of that committee. So thank you all.

I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

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

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

EXECUTIVE CALENDAR—Continued

Mr. MENENDEZ. Mr. President, I ask unanimous consent that I be able to complete my remarks before the vote.

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

NOMINATION OF LYNNE M. TRACY

Mr. MENENDEZ. Mr. President, I come to the floor today to highlight the importance of the confirmation vote on Lynne Tracy, our nominee to be Ambassador to Russia.

Today, on the 300th day of Putin's heinous, unjustified war against Ukraine, I am humbled that we will welcome President Zelenskyy to address Congress later tonight. As President Zelenskyy will no doubt underscore, Putin's war is one of the greatest challenges we face today.

Putin is targeting Ukrainian civilians. He is bombing their electricity grid and their water supplies as winter sets in. That is, in essence, from my perspective, a war crime.

We haven't seen anything like this in Europe since the Second World War. Ukrainians are fighting for their lives, for their freedom, for the future of their country and their children. But even as Putin presses forward with this brutal war, the United States needs an Ambassador who can represent us in Moscow, and that is why we need Ambassador Lynne Tracy to assume her post without delay.

She is a career diplomat with an exceptional record of leadership and public service. She has the courage to carry out her duties in the face of a hostile government and represent America beyond the Kremlin walls, and she has the experience to lead the mission in one of the most challenging and difficult places our diplomats work today.

Our personnel in Moscow are braving harsh conditions, separation from their families, and are largely cut off from the world—all to serve their country, to serve Americans who need them.

And in spite of that, we have diplomats who are raising their hands saying: Send me. Ambassador Tracy is one of them.

Our Nation needs a strong voice to stand up for our values. From the larger Russian public, many of whom feel isolated and betrayed by their leader's war of aggression, to the American de-

tainees who Putin still holds in his prisons, to the Russian opposition activists who are fighting for a different way forward in Russia, Ambassador Tracy will not shy away from confronting Putin's abuses. America needs her in her post. Europe needs her in her post. Ukraine needs her in her post. So I urge this body to confirm Ambassador Tracy today.

I yield the floor.

VOTE ON TRACY NOMINATION

The ACTING PRESIDENT pro tempore. The question is, Will the Senate advise and consent to the Tracy nomination?

Mr. MENENDEZ. I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from 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 Wyoming (Ms. LUMMIS).

The result was announced—yeas 93, nays 2, as follows:

[Rollcall Vote No. 404 Ex.]

YEAS—93

Baldwin	Hagerty	Reed
Bennet	Hassan	Risch
Blackburn	Hawley	Romney
Blumenthal	Heinrich	Rosen
Blunt	Hirono	Rounds
Booker	Hoeven	Rubio
Boozman	Hyde-Smith	Sanders
Braun	Inhofe	Sasse
Brown	Johnson	Schatz
Cantwell	Kaine	Schumer
Capito	Kelly	Scott (FL)
Cardin	Kennedy	Scott (SC)
Carper	King	Shaheen
Casey	Klobuchar	Shelby
Cassidy	Lankford	Sinema
Collins	Leahy	Smith
Coons	Lujan	Stabenow
Cornyn	Manchin	Sullivan
Cortez Masto	Markey	Tester
Cotton	Marshall	Thune
Cramer	McConnell	Tillis
Crapo	Menendez	Toomey
Daines	Merkley	Tuberville
Duckworth	Moran	Van Hollen
Durbin	Murkowski	Warner
Ernst	Murphy	Warnock
Feinstein	Murray	Warren
Fischer	Ossoff	Whitehouse
Gillibrand	Padilla	Wicker
Graham	Peters	Wyden
Grassley	Portman	Young

NAYS—2

Lee Paul

NOT VOTING—5

Barrasso	Cruz	Lummis
Burr	Hickenlooper	

The nomination was confirmed.

(Mr. PETERS assumed the Chair.)

(Mr. SCHATZ assumed the Chair.)

The PRESIDING OFFICER (Mr. PETERS). Under the previous order, the motion to reconsider is considered made and laid upon the table. The President will be immediately notified of the Senate's action.