

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.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

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

The PRESIDING OFFICER. The clerk will report the pending business.

The legislative clerk read as follows:

House Message to accompany H.R. 2617, a bill to amend section 1115 of title 31, United States Code, to amend the description of how performance goals are achieved, and for other purposes.

Pending:

Schumer motion to concur in the amendment of the House to the amendment of the Senate No. 4 to the bill, with Schumer (for Leahy) amendment No. 6552, in the nature of a substitute.

Schumer amendment No. 6571 (to amend amendment No. 6552), to add an effective date.

Schumer motion to refer the message of the House on the bill to the Committee on Appropriations, with instructions, Schumer amendment No. 6572, to add an effective date.

Schumer amendment No. 6573 (to the instructions (amendment No. 6572) of the motion to refer), to modify the effective date.

Schumer amendment No. 6574 (to amendment No. 6573), to modify the effective date.

The PRESIDING OFFICER. The Senator from Georgia.

UNANIMOUS CONSENT REQUEST—H.R. 5746

Mr. WARNOCK. Mr. President, as we work in these remaining days of the 117th Congress, I rise today to ask the Chamber to take needed action on a critical priority before we close out this Congress.

For all that we have achieved this session, much of it on a bipartisan basis, I would argue that our inability to move or our failure to move on this critical issue is a moral failure on our watch, the failure to get done that which is most basic to who we are, a democracy, to vigorously defend the right to vote.

Yesterday, our colleagues in the House of Representatives presented their final findings regarding the tragic attack on our U.S. Capitol on January 6, 2021. I commend their work and their dedication on this issue to help ensure that something like January 6—a day that almost broke our democracy—never happens again.

I believe in democracy. In fact, as a man of faith, I believe that democracy is the political enactment of a spiritual idea, this notion that each of us has within us a spark of the divine, and therefore we ought to have a voice, a vote in the direction of our country and our destiny within it.

In this government funding legislation we are working to pass, the Senate is preparing to take action toward the same aim of protecting our democracy—to prevent future subversion in our Presidential elections—by passing the Electoral Count Reform Act.

I commend my colleagues for their bipartisan work that will clarify the

role of the Vice President in certifying our Presidential elections and strengthen our ability to ensure a peaceful transfer of power. It is part of what makes us America. And I look forward to voting in favor of the legislation, along with the rest of the government funding bill, which will send critical Federal investments—investments I fought for—that will help people in every corner of my home State of Georgia.

But we must be very clear that there is more than one way to subvert an election and to silence the voices of the people. While the Senate takes action to protect Presidential elections and the integrity of the electoral college, in Georgia right now, during our most recent election, we had to sue officials of the State of Georgia just to allow people to vote on the Saturday that began the runoff period.

Voters waited in long lines—lines that would have been even longer had I not sued the officials of the State of Georgia. People stood in line for hours and hours and hours in the cold and in the rain to cast their ballots. Now, some folks might be fine with that, but I am not. You can have a right to the vote and yet be denied access.

Georgia voters decided that their voices would not be silenced. They did show up in record numbers, thank God. But that does not mean that voter suppression does not exist; it just means that the people refused to have their voices silenced.

We cannot in good conscience abhor election subversion in our Presidential elections while at the same time turning a blind eye when the voices of voters are suppressed and subverted on a local and State level. It is a contradiction that I cannot abide.

So while we do the important work today of passing the Electoral Count Reform Act, we must also pass the Freedom to Vote: John R. Lewis Act, which will, one, restore bedrock voting protections established by the Voting Rights Act of 1965; two, set a Federal baseline for voting standards to ensure every eligible voter has access to the ballot no matter where they live, no matter their ZIP Code; and three, we have to protect our elections from subversion by craven politicians. Voters should pick their representatives, not the other way around. It doesn't matter if your votes are properly counted if you can barely cast your vote in the first place.

The Electoral Count Reform Act, while important to pass, will not protect voters from long lines; it will not prevent efforts to sow confusion through mass challenges of voter registration; and it will not stop State politicians from trying to take over local election administrations.

I would encourage my colleagues to Google a county in Georgia, and see what has happened in recent history. Just Google Quitman County, GA. See what happened there just a few years ago, and you will see that our struggle continues.

So as we prepare now to celebrate Dr. King next month, we must remember his words, which are as true now as they were back then: "Justice delayed is justice denied." And I will never stop fighting to protect our democracy and the sacred right to vote.

I ask unanimous consent that the Chair lay before the Senate the message to accompany H.R. 5746; that the motion to concur in the House amendment to the Senate amendment to the bill be considered and agreed to and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Nebraska.

Mrs. FISCHER. Mr. President, reserving the right to object, this is one of those election takeover bills.

Last January, our colleagues on the other side of the aisle tried to break Senate rules to ram this bill through Congress. The American people do not want the Federal takeover of anything, and our Founders understood that. That is why anything not enumerated in the Constitution goes to State and local government—the institutions that are closest to the people that they represent. That is transparency. That is fairness.

The best election laws are the ones that make it easy to vote but hard to cheat. And we already know that this is possible. With Georgia's new law in place, the State set a new record for most ballots ever cast in a midterm election. Both early voting and mail-in voting broke the alltime midterm records. These Republican-led States—they got it right. Their critics got it wrong.

This election takeover bill, which the Senate has already rejected, is not going to be passed today.

Therefore, I object.

The PRESIDING OFFICER. The objection is heard.

Mr. WARNOCK. Mr. President, I would yield some of my time to the gentlewoman from the great State of Minnesota.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I am so honored to join my colleague Senator WARNOCK to speak on the urgent need to pass this legislation, the Freedom to Vote: John R. Lewis Act.

No one speaks better to this than Reverend WARNOCK. I have often told the story that we were out on the steps of the Supreme Court after a number of voter suppression laws had been introduced and passed around the country. I gave what I thought was an excellent speech, and then he came in and just said a few words, and they were these: "Some people don't want some people to vote." And I thought, all those words I said, it really just comes down to that.

Our country has always believed in the freedom to vote. For years, this has been a bipartisan issue with voting rights acts, with George Bush doing