

the destruction that he has inflicted because of his radical leftwing policies.

His policies caused higher prices, caused higher interest rates, caused slower growth, caused much pain and much stress. So the American people are taking a look right now at the Biden economy, and they are not liking what they see. People want their money back. They want their future back. They want a future for their family.

So if Joe Biden won't apologize, which is what he should do when he comes to Congress next week for the State of the Union, then he should at least announce that he is going to change course, try to make things better, announce that he is going to stop this reckless spending that has brought us these problems, announce that he is finally going to unleash American energy so energy is affordable, available, and reliable.

That is what the American public is asking for and demanding. Working families in this country cannot afford any less.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from West Virginia.

ENERGY POLICY

Mr. MANCHIN. Mr. President, I saw some exciting news this morning, and it said that General Motors announced it is making a \$650 million equity investment in Lithium Americas to develop the Thacker Pass Mine in Nevada. Now, this has been talked about for 10, 12, 13 years, but it is time to do something.

According to GM, this represents "the largest-ever investment by an automaker to produce battery raw materials," and that is exactly what the Inflation Reduction Act was meant to do. It is a tangible result because of that, and now, we have to make sure we follow through.

GM's CEO, Ms. Mary Barra, even said:

Direct sourcing critical [electric vehicles] raw materials and components from suppliers in North America and free-trade agreement countries helps make our supply chain more secure, helps us manage cell costs, and creates jobs.

This is really what we are dealing with. We are dealing with—basically, China has a captive market. I had a hard time understanding why our administration was going down a path of transitioning into electric vehicles as quickly as they intended and wanted to do without having our own secure supply chain.

China right now has 80 percent of the world's anode production, which is the positive and negative part of the battery that makes the battery work; 80 percent of the world's battery material processing, which is the processing of raw material that makes the batteries that run the vehicles we have; 60 percent of the world's cathode production; and 75 percent of the world's lithium ion battery cells.

I am old enough to remember—and maybe the Presiding Officer might be, too—that basically in 1974 I was standing in line waiting to buy gas, if it was my turn to buy gas, to go to work. I don't intend to stand in line to wait for China to send a battery to make my car work. I just won't do it. So this is why we are moving in the direction we are.

China has worked long and hard on cornering this market and done a very, very thorough job.

We have seen firsthand what Russia has done to the EU—to Europe, our allies—and most importantly, to Germany. They have used their production of energy—inexpensive, cheap energy—and let Europe and mostly Germany put their guard down and become totally dependent. Then Putin weaponized energy against them and put them in a heck of a stranglehold. Then basically decisions were being made about what they could do.

Well, the first thing they did was basically eliminate their dispatchable, dependable fuel, whether it be the coal-fired plants, which they had a desire to do, but they actively worked quicker than they had anything to replace it with and became more dependent. They got rid of their nuclear plants because their extreme environmental community wanted none of that; they wanted to go absolutely clean and green.

There will be a time probably—hopefully in our lifetime; maybe not, but in our children's lifetime—that all of this might be transitioned into a new carbonless fuel, but right now, we need an "all of the above" energy policy.

But they became totally dependent on cheap Russian gas, and they realized only after the invasion that they had made a mistake. Well, now they are scrambling to revive the very same coal-fired powerplants they shut down prematurely and bring back the nuclear reactors that they are going to need for a while.

People talk about the social cost of greenhouse gases, and I agree, there is a social cost, but we are not even talking about the geopolitical cost of inaction, being energy secure. That is really what this is all about.

The Inflation Reduction Act that we worked so hard on and every Democrat voted for in the House and the Senate, as the Presiding Officer knows, has been touted as an environmental bill. That is all you have heard. You have not heard the word from our administration talking about energy security.

The United States is the superpower of the world, and to remain that status, you have to have energy independence and be secure in your own energy sources.

If you recall, when all this happened and the invasion of Ukraine by Putin and basically the challenge we had and the high rising of oil prices to gasoline prices to everyday workers going back and forth—in my State, there is an awful lot of transit that goes on to secure your jobs. What had happened dur-

ing that period of time, our administration started saying: Well, maybe we can reduce the sanctions on Iran.

I said: You have the most prolific terrorist supporters in the world, and you want to lift sanctions so they can put more product into the market and make more money or have more revenue to wreak more havoc on humankind? I don't think that should be, I don't think that is a good idea, and I sure can't sign up for something such as that.

Then we allowed Venezuela, which basically has very little oversights on their environmental emissions—but we released that, and now they are putting product in the market.

Now, if we are so concerned about the environment, which we all should be, then shouldn't we basically look at what is going on? Is America just turning a blind eye and saying: Out of sight, out of mind.

We are asking other parts of the world to do what we won't do. We asked the Gulf States—Saudi Arabia—to produce more oil, put more oil into the marketplace, because that would stabilize the oil price, bring the price of gasoline down. We never asked our friends in Texas. We never asked our friends in Alaska. We never asked our best trading partner Canada to do more for us. We were seen asking other people—and pretty drastic measures, if you would, by other nations—to do something we didn't want to do for ourselves. I thought that was unattainable, it was just unrealistic, and it did not show the leadership of the superpower of the world.

Again, I will repeat this, and I will continue to repeat it: You will not maintain this status of being a superpower unless our allies look to us for help when they need it. We didn't have the energy to even be independent ourselves, let alone be able to help our allies as quickly as they needed it. We are getting up to speed now, we are coming back, and that is exactly what the Inflation Reduction Act was intended to do.

If we don't establish a domestic supply with the God-given resources that we have—we produce oil, we produce coal, and we produce natural gas environmentally better than anyplace else in the world. In the IRA, that bill was designed to have two tracks. For 10 years, we would have certainty that we would be energy independent by using everything above, and that means relying on the fossil fuels that we need, and we have, but we are going to do it better and cleaner than we have ever done it before. We put more money in carbon capture, sequestration, and utilization than ever before. We put more technology and fees on methane emission, which we know is harmful to the environment, than ever before. So basically we are leading the world and going to find the new technology we can share that makes the environment better. But if you can replace the dirty production of fossil with the cleaner production from the United States, that is

truly helping the environment. It is something that the leaders and the superpower of the world should be doing. We weren't in that position. We are fighting to get back.

But I have to watch now, after we passed a piece of legislation we all voted for—we are getting different interpretations from Treasury and other Agencies that have oversight, which is so wrong. That is not their job, to interpret what they want in a piece of legislation; their job is to basically enforce what we wrote in the legislation. And we said that we will be independent, that we will have our own supply of critical minerals. We will have our own supply, basically, and we are not going to have to depend on China for car batteries or anything else we need to run our economy. That is what we should be fighting for, and that is what we should all be considering that we should be doing.

The IRA is crystal clear. What the Department of the Treasury did is wrong. The law was very clear. By December 31 of last year, 2022, they were supposed to have the rules and regulations of how they would enforce the bill that we wrote. Well, guess what. They didn't. Now, guess what happened.

Let me explain to you how the law worked before. Before we did what we did with the IRA, the electric vehicles, the supplement that we gave, \$7,500, from 2008 after the crash of the economy, the banking crash that we had—there was a bill passed in 2008, a recovery bill, that was going to give \$7,500 credit to any manufacturer—I mean, any manufacturer—that sold an electric vehicle in the United States of America. Now, once they saturated and sold 200,000 cars, it was over; they got no more credits.

So let's look at our big manufacturers in the United States. We have General Motors, OK, we have basically Ford, and we have Toyota. Let me just tell you what has happened. So we are going to set the record straight because I had a discussion with my dear friend and colleague from Michigan, the Senator from Michigan, and we talked about that, and I think there was some misinterpretation or misspeaking about what has really happened.

As of last year, Tesla and—no, 2018. So that bill went into effect in 2008, and by 2018, Tesla and General Motors reached their cap of 200,000 cars. They weren't getting anymore \$7,500 if they sold a Tesla and if they sold a General Motors electric vehicle. And guess what. It didn't slow down the sales any. Tesla kept right on. They are past the million mark now and still going strong. So people want the product. We didn't have to give them Treasury or give them taxpayers' money to do it. General Motors hit their 200,000. Toyota reached theirs last year. Ford reached theirs September of last year. So all the major manufacturers. If we had not done the inflation reduction

bill and put in new guidelines, all the people who would have gotten the \$7,500 credit from American taxpayers were all foreign manufacturers sending electric vehicles to America. That is not right.

But now what happened is they picked and chose. So the Secretary of the Treasury—and we have had a conversation. We agree to disagree, and I disagree stronger than anyone's ever disagreed on something that they are doing that they shouldn't be doing. They are doing it wrong, and I will continue to fight and hold them accountable.

Last week, I introduced a bipartisan bill with Senator BRAUN that would do one simple thing. It would implement the law as intended by putting the sourcing provision in effect immediately, whether Treasury chooses to issue guidance or not.

I cannot pressure them to do their job on time, but I can do this: We can do our job. We wrote a piece of legislation, and we can make sure it takes effect when it was supposed to when they haven't done their job. They failed to do it. What we are going to say is, fine, and you implement it exactly the way you wrote the law.

What they are trying to do is this. They said: We don't have rules and regulations, but from January 1—and still going on—they are going to continue to give \$7,500 to everybody again. So they are opening it back up to General Motors. They are opening it back up to Tesla. They are opening it up to Toyota, to Ford. To everybody, it is opened up to start getting \$7,500 again.

Now, what they did, they chose out of our bill—the Inflation Reduction Act—they said: Yes, but if you make more than \$150,000, you are not qualified. That is exactly what is in our bill. But they said they don't have rules and regulations, but they took that part of it. They said: Well, if you buy a sedan that costs more than \$55,000, you don't qualify for the 7,500. If you buy a pickup truck that is more than 85,000, you don't qualify. That is all in our bill.

If you can't write your rules and regulations, but you can pick and choose what you like in the bill, that means you don't want to enforce the bill the way it was written. That is what we should not tolerate. That is not what anybody in this body should ever tolerate, to let the Agencies do exactly what they think they want to do to appease whomever they are trying to appease versus what we passed and the intent of what we passed.

That is what I am upset about, and that is why we are going to continue to fight.

And as it stands right now, they are cherry-picking, and they have completely cherry-picked, and other Agencies will do the same. This selective implementation is going to create a disadvantage for some automakers while giving more flexibility to others by allowing this to happen.

It is beyond being not right.

So let me tell you what we are going to do to make sure that the American people understand.

If you believe that we were wrong in passing that piece of legislation, then speak up. If you believe that we were wrong in saying that we should not be dependent on China, but you want to continue to have China dominating the market, you want them to have total control in a market that we are moving—it is the first time in the history of the United States that we have ever had to rely on a foreign supply chain for our transportation mode, whether it is trains, whether it is planes, whether it is automobiles, any form of transportation. We have been able to not have to depend on another foreign supply chain because we were able to do it in the United States.

We have allowed a lot of manufacturing to leave. We are bringing it back now.

So what we said basically in the bill was: You get \$3,750 credit toward an electric vehicle you bought from an American manufacturer, when the vehicle was manufactured in North America. That is the culmination between the United States, Canada, and Mexico, which is what NAFTA, which is what the USMCA, the new bill, that is what we do, has been moving those vehicles back and forth.

If it is manufactured here, you get 3,750. You get the first 3,750 if the selection of all the rare earth materials are selected from either North America or from countries that we have a free-trade agreement. And the reason that is done, we want to make sure that we have a secure channel for these rare earth minerals it takes to process and manufacture the battery.

So the processing, as far as the selection of the rare earth minerals, they have to come from either North America or our free-trade agreement countries. That gives us a solid supply. We are not dependent on China or Russia or any other nation that does not have our best interests and is not a democracy, does not have the same beliefs that we have for human rights and everything else that we do. We have that first, and then basically, it has to be manufactured in North America. Then you get the other 3,750.

So we use the \$7,500 as the carrot to reimplement ourselves into the manufacturing and self-reliance of our transportation mode. That is simply it.

I would hope everybody watching, listening, or anything else, as far as trying to get the knowledge of what we have done and what we have tried to do and what we are intending to make sure happens—which is to hold this administration, hold basically the Treasury Department and every other Agency that thinks that they can free will and just make up what they want and do what they want and pick regulations that they think that they would rather implement rather than implementing the law.

That is where we are. That is what I want is to set the record straight. First

of all, all the automakers in America who hit the 200,000 cap, this was a new lease on life for them—the IRA, selecting it, and I would quote, and I am going to read again from Mary Barra, who is the CEO of General Motors:

[The] [d]irect sourcing [of] critical EV raw materials and components from suppliers in North America and free-trade-agreement countries helps make our supply chain more secure, helps us manage cell costs, and creates jobs.

Now, that is one of our largest manufacturers of automobiles in the United States of America. If she thinks it is good for her company, if she thinks it is good for the American citizens and the car buyers in America, then it should be good enough that the bill should be implemented the way it was intended to. What we are going to do is reestablish ourselves: major manufacturing; not being reliant; superpower of the world—maintain that; have the energy sources; use our fossil, clean as anywhere in the world, for the next 10 years, as we are investing \$369 billion for the new technology of carbonless or carbon-free energy. Then that is leadership. That is what the world needs. That is what the world expects from the United States, and if we are going to maintain this world power, be the superpower of the world, we must maintain that leadership.

And it is tough at times, but we can do it. We have always done it.

I yield the floor.

I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

Mr. DURBIN. 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.

MEASURE READ THE FIRST TIME—S. 184

Mr. DURBIN. Mr. President, I understand there is a bill at the desk, and I ask for its first reading.

The ACTING PRESIDENT pro tempore. The clerk will read the bill by title for the first time.

The legislative clerk read as follows:

A bill (S. 184) to amend chapter 8 of title 5, United States Code, to provide that major rules of the executive branch shall have no force or effect unless a joint resolution of approval is enacted into law.

Mr. DURBIN. I now ask for a second reading, and in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The ACTING PRESIDENT pro tempore. Objection is heard.

The bill will be read for the second time on the next legislative day.

UNANIMOUS CONSENT AGREEMENT—READING OF WASHINGTON'S FAREWELL ADDRESS

Mr. DURBIN. Mr. President, I ask unanimous consent that notwith-

standing the order of the Senate of January 24, 1901, the traditional reading of Washington's Farewell Address take place on Monday, February 27, 2023, immediately following the prayer and reciting of the Pledge of Allegiance to the flag of the United States of America.

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

APPOINTMENT OF SENATOR LANKFORD TO READ WASHINGTON'S FAREWELL ADDRESS

The ACTING PRESIDENT pro tempore. The Chair, on behalf of the Vice President, pursuant to the order of the Senate of January 24, 1901, as modified by the order of January 31, 2023, appoints the Senator from Oklahoma, Mr. LANKFORD, to read Washington's Farewell Address on Monday, February 27, 2023.

MORNING BUSINESS

ARMS SALES NOTIFICATION

Mr. MENENDEZ. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD-423.

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

DEFENSE SECURITY
COOPERATION AGENCY,
Washington, DC.

*Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, DC.*

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(5)(C) of the Arms Export Control Act (AECA), as amended, we are forwarding Transmittal No. 23-0A. This notification relates to enhancements or upgrades from the level of sensitivity of technology or capability described in the Section 36(b)(1) AECA certification 17-65 of April 4, 2018.

Sincerely,

JAMES A. HURSCH,
Director.

Enclosures.

TRANSMITTAL NO. 23-0A

Report of Enhancement or Upgrade of Sensitivity of Technology or CAPABILITY
(Sec. 36(b)(5)(C)), (AECA)

(i) Purchaser: Government of Spain.

(ii) Sec. 36(b)(1), AECA Transmittal No.: 17-65.

Date: April 4, 2018.

Implementing Agency: Army.

Funding Source: National Funds.

(iii) Description: On April 4, 2018, Congress was notified by Congressional certification transmittal number 17-65, of the possible sale, under Section 36(b)(1) of the Arms Export Control Act, of seventeen (17) CH-47F cargo helicopters with customer-unique modifications, twenty-one (21) Common Missile Warning System (CMWS) AN/AAR-57A(V)8, and forty-two (42) Embedded Global Positioning System (GPS) Inertial Navigation System (INS) (EGI). Also included were mission equipment, hardware and services required to implement customer-unique modifications, communication, Aircraft Survivability Equipment (ASE), and navigation equipment including AN/ARC-231 Multimode radios, AN/ARC-201D SINCGARS radios, AN/ARC-220 High Frequency (HF) Radio, Identification, Friend or Foe (IFF), AN/AAR-57A(V)8, and the Radar Signal Detecting Set (RSDS), AN/APR-39A(V)1, special tools and test equipment, ground support equipment, airframe and engine spare parts, technical data, publications, MWO/ECPs, technical assistance, transportation of aircraft and training, and other related elements of logistics and program support. The estimated total case value was \$1.3 billion. Major Defense Equipment (MDE) constituted \$900 million of this total.

This transmittal notifies the addition of the following MDE items:

—One (1) CH-47F Cargo Helicopter with customer-unique modifications;

—Two (2) Common Missile Warning Systems (CMWS) AN/AAR-57A(V)8

—Two (2) Embedded Global Positioning System (GPS) Inertial Navigation Systems (INS) (EGI)

Also included are equipment and services to support the new CH-47F cargo helicopter, as well as support the upgrade/remanufacturing of the previously notified, seventeen (17) cargo helicopters from CH-47D to CH-47F configuration, to include: mission equipment, hardware and services required to implement customer-unique modifications; communications equipment: Aircraft Survivability Equipment (ASE) and navigation equipment including: AN/ARC-231 Multimode radios, AN/ARC-201D SINCGARS radios, AN/ARC-220 High Frequency (HF) radios, Identification Friend or Foe (IFF), AN/AAR-57A(V)8, and the Radar Signal Detecting Set (RSDS); AN/APR-39A(V)1; special tools and test equipment; ground support equipment; airframe and engine spare parts; technical data; publications; Modification Work Order/Engineering Change Proposals (MWO/ECP); technical assistance, transportation of aircraft and training; and other related elements of logistics and program support. The estimated total value of the new items is \$913 million, but will not cause an increase in the total estimated program cost. The total estimated case value will remain \$1.3 billion with MDE remaining \$900 million of this total.

(iv) Significance: This notification is being provided as the additional MDE items were not enumerated in the original notification. The proposed sale will support Spain's capability to strengthen its homeland defense and deter regional threats. This additional aircraft will also enhance Spain's commitment and contribution to NATO in providing a Combat Aviation Brigade.

(v) Justification: This proposed sale will support the foreign policy and national security of the United States by improving the security of a NATO ally which is an important force for political stability and economic progress in Europe. It is vital to the