

has on American industries. This administration's costs of rules and regulations already outpace the last two administrations combined. From January 21, 2021, through August 4 of this year, final rules from the current administration imposed roughly \$400 billion in total costs, with more than 232 million hours of annual paperwork.

In summary, our resolution is one of the many important steps the Senate GOP has taken to unburden the economy from the bureaucratic harassment being employed by the Biden administration.

I again urge you to join me in applauding rather than punishing good, voluntary conservation efforts and support the joint resolution for congressional disapproval of the lesser prairie-chicken listing over the objections of the President.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. HEINRICH. I yield back all time on our side.

VOTE ON VETO MESSAGE

The PRESIDING OFFICER. Hearing no further debate, under the previous order, the question is, Shall the joint resolution (S.J. Res. 9) pass, the objections of the President of the United States to the contrary notwithstanding?

The yeas and nays are required under the Constitution.

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

The PRESIDING OFFICER. The yeas and nays have been requested.

Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Ohio (Mr. BROWN), the Senator from California (Mrs. FEINSTEIN), the Senator from Minnesota (Ms. SMITH), and the Senator from Mississippi (Ms. STABENOW) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Louisiana (Mr. CASSIDY), the Senator from Utah (Mr. ROMNEY), and the Senator from South Carolina (Mr. SCOTT).

The result was announced—yeas 47, nays 46, as follows:

[Rollcall Vote No. 242 Leg.]

YEAS—47

Barrasso	Graham	Murkowski
Blackburn	Grassley	Paul
Boozman	Hagerty	Ricketts
Braun	Hawley	Risch
Britt	Hoeven	Rounds
Budd	Hyde-Smith	Rubio
Capito	Johnson	Schmitt
Collins	Kennedy	Scott (FL)
Cornyn	Lankford	Sullivan
Cotton	Lee	Thune
Cramer	Lummis	Tillis
Crapo	Manchin	Tuberville
Cruz	Marshall	Vance
Daines	McConnell	Wicker
Ernst	Moran	Young
Fischer	Mullin	

NAYS—46

Baldwin	Hickenlooper	Rosen
Bennet	Hirono	Sanders
Blumenthal	Kaine	Schatz
Booker	Kelly	Schumer
Cantwell	King	Shaheen
Cardin	Klobuchar	Sinema
Carper	Luján	Tester
Casey	Markey	Van Hollen
Coons	Menendez	Warner
Cortez Masto	Merkley	Warnock
Duckworth	Murphy	Warren
Durbin	Murray	Welch
Fetterman	Ossoff	Whitehouse
Gillibrand	Padilla	Wyden
Hassan	Peters	
Heinrich	Reed	

NOT VOTING—7

Brown	Romney	Stabenow
Cassidy	Scott (SC)	
Feinstein	Smith	

The PRESIDING OFFICER (Mr. BOOKER). On this vote, the yeas are 47, the nays are 46.

Two-thirds of the Senators being duly chosen and sworn not having voted in the affirmative, the joint resolution on reconsideration fails to pass over the President's veto.

PROVIDING FOR CONGRESSIONAL DISAPPROVAL UNDER CHAPTER 8 OF TITLE 5, UNITED STATES CODE, OF THE RULE SUBMITTED BY THE UNITED STATES FISH AND WILDLIFE SERVICE RELATING TO "ENDANGERED AND THREATENED WILDLIFE AND PLANTS; ENDANGERED SPECIES STATUS FOR NORTHERN LONG-EARED BAT"—VETO

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the veto message with respect to S.J. Res. 24, which the clerk will report.

The legislative clerk read as follows:

Veto message, a joint resolution (S.J. Res. 24) to provide for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the United States Fish and Wildlife Service relating to "Endangered and Threatened Wildlife and Plants; Endangered Species Status for Northern Long-Eared Bat".

The PRESIDING OFFICER. Under the previous order, the question is, Shall the joint resolution (S.J. Res. 24) pass, the objections of the President to the contrary notwithstanding?

The yeas and nays are required under the Constitution.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Ohio (Mr. BROWN), the Senator from California (Mrs. FEINSTEIN), the Senator from Minnesota (Ms. SMITH), and the Senator from Michigan (Ms. STABENOW) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Louisiana (Mr. CASSIDY), the Senator from Utah (Mr. ROMNEY), the Senator from South Carolina (Mr. SCOTT), and the Senator from Ohio (Mr. VANCE).

Further, if present and voting: the Senator from Ohio (Mr. VANCE) would have voted "yea."

The yeas and nays resulted—yeas 47, nays 45, as follows:

[Rollcall Vote No. 243 Leg.]

YEAS—47

Barrasso	Graham	Mullin
Blackburn	Grassley	Murkowski
Boozman	Hagerty	Paul
Braun	Hawley	Ricketts
Britt	Hoeven	Risch
Budd	Hyde-Smith	Rounds
Capito	Johnson	Rubio
Collins	Kennedy	Schmitt
Cornyn	Klobuchar	Scott (FL)
Cotton	Lankford	Sullivan
Cramer	Lee	Thune
Crapo	Lummis	Tillis
Cruz	Manchin	Tuberville
Daines	Marshall	Wicker
Ernst	McConnell	Young
Fischer	Moran	

NAYS—45

Baldwin	Heinrich	Reed
Bennet	Hickenlooper	Rosen
Blumenthal	Hirono	Sanders
Booker	Kaine	Schatz
Cantwell	Kelly	Schumer
Cardin	King	Shaheen
Carper	Luján	Sinema
Casey	Markey	Tester
Coons	Menendez	Van Hollen
Cortez Masto	Merkley	Warner
Duckworth	Murphy	Warnock
Durbin	Murray	Warren
Fetterman	Ossoff	Welch
Gillibrand	Padilla	Whitehouse
Hassan	Peters	Wyden

NOT VOTING—8

Brown	Romney	Stabenow
Cassidy	Scott (SC)	Vance
Feinstein	Smith	

The PRESIDING OFFICER (Mr. FETTERMAN). On this vote, the yeas are 47, the nays are 45.

Two-thirds of the Senators being duly chosen and sworn not having voted in the affirmative, the joint resolution on reconsideration fails to pass over the President's veto.

The Senator from Delaware.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. CARPER. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations en bloc: Calendar Nos. 300 and 324; that the Senate vote on the nominations en bloc without intervening action or debate; that the motions to reconsider be considered made and laid upon the table; that the President be immediately notified of the Senate's action and the Senate resume legislative session.

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

The question is, Will the Senate advise and consent to the following nominations en bloc: Robert G. Taub, of New York, to be a Commissioner of the Postal Regulatory Commission for a term expiring October 14, 2028 (Reappointment); and Thomas G. Day, of Virginia, to be a Commissioner of the Postal Regulatory Commission for a term expiring October 14, 2028?

The nominations were confirmed en bloc.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session. The Senator from Utah.

UNANIMOUS CONSENT REQUEST—S. 2972

Mr. LEE. Mr. President, when the government shuts its doors, public attention often falls on our national parks. This should be surprising to no one. Year after year, whenever anyone does a survey, they discover the most popular and least popular parks of the Federal government. The answers tend to be the same.

As I recall, the least popular parks often focus on the IRS, for understandable reasons. For similarly understandable reasons, the most popular parks involve our National Park System. When the government shuts down, a lot of attention turns to them, as it should. The stark “closed” sign that barricades the entrance to our cherished parks is more than just a sign of circumstances where it arises during a shutdown. It is a palpable consequence of a government bereft of funds and a dysfunctional process in Congress that leads to that moment.

This issue is close to the hearts of a lot of people in a lot of parts of the country, but it is especially close to the hearts of people in my home State of Utah. Every State in this great Union, especially every State that is fortunate enough to be home to one or more of our Nation’s national parks, has to deal with some of these issues in one way another.

To be clear, I abhor the notion of government shutdowns. They are neither my wish nor my aspiration. However, as the close of fiscal year 2023 approaches, a government shutdown looms very large on our horizon.

Utah, like many States, finds its identity intertwined with its magnificent landscapes and national parks. Zion, Bryce Canyon, Arches, Canyonlands, Capitol Reef—these are not just names on a map; they are proud symbols of our State, and local communities in many parts of Utah depend on them and depend on the traffic that comes in and out of those national parks. Visiting these parks isn’t just about tourism; it is about livelihoods, our families, and our economic lifeblood.

The grim reality is that our communities will bear the brunt if these parks, in fact, close their gates due to a shutdown with no means to recuperate the loss. With 2 days left, my frustration mounts knowing the Department of the Interior has not updated its shutdown contingency plan for national parks since 2017. How can the Biden administration expect our communities to prepare without a blueprint for such eventualities?

In my recent communication with Secretary Haaland, I emphasized that numerous tools lie at her disposal to keep our parks functioning even during a shutdown. Using the Federal Lands Recreation Enhancement Act, or

FLREA, as it is known, to harness non-appropriated fee revenues for essential park operations is a clear path and one that should be pursued here. After all, these very same funds ensure many parks remained open during the December 2018 to January 2019 shutdown. The Department of the Interior should also designate as “essential” as many park and land management employees as possible.

Yet it seems Interior would, instead, echo past mistakes, like those made in 2013 under the Obama administration, bending to radical environmental pressures and closing our parks under the pretense of “resource conservation.”

This is not just unfortunate; it is inexcusable. In fact, it is deplorable, and it is completely avoidable. Because of such actions, several States, including Utah, were forced to dig into their own pockets to ensure their parks remained open in 2013, but when the shutdown concluded, there was no repayment. States like Utah, New York, Tennessee, South Dakota, Colorado, and Arizona were left holding the bill.

Utah alone spent \$1.6 million to keep our parks operational for just about a week. Now, look, \$1.6 million might seem like a drop in the bucket in the vast sea of overall Federal spending, but for States like Utah with a lot less money running through the State government than runs through our government every single year and where elected officials value prudent financial management to help keep their own citizens in a good position, every single dollar matters.

So this is not something we should foist upon the States.

We know at the outset that people are going to continue to visit national parks. There is no legitimate reason, knowing that they are the single most popular feature of the Federal Government, arbitrarily to decide at the outset that we are going to close those. In many instances, they had to erect barriers to keep people out—sort of the opposite of what you would expect to occur during a shutdown. So let’s keep them open.

We know, in any event, that any furloughed staff within the Park Service will be repaid, along with the rest of the government workers, once the shutdown ends. Knowing that, as we do, and knowing that these States and their communities are so dependent, as they are, on revenue related to visitors going to national parks and that those States, being that dependent, are going to cover the tab, the Federal Government shouldn’t be in the position of riding on these States’ generosity, on their dependence on the national parks, simply by saying: Yes, you know what, we are going to furlough these workers, allow them to shut down, allow the States to run the parks at great expense to those States, and then not pay them back.

No, this is unacceptable.

This is a pretty unique circumstance in which the risk of a free-rider action

calls out for precautionary action on our part.

So my bill on this subject is very simple. It just mandates that the Secretary of the Interior must repay States that spend their own funds to maintain national parks in the event of a shutdown. It is about responsibility, accountability, and most importantly, doing what is right.

Our national parks must remain open, not just for the enjoyment of our citizens but for the survival of the communities that are near them and whose economies revolve around them.

To that end, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 2972, which is at the desk; further, that the bill be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Washington.

Mrs. MURRAY. Mr. President, reversing the right to object, I share my colleague’s concern about making sure our national parks stay open. In fact, I don’t want any Federal facilities to close their doors, any Federal workers to miss a paycheck, or any programs families rely on be undermined by a completely unnecessary shutdown, which is why I am working around the clock to make sure we do pass this bipartisan CR package, which we released yesterday.

So I hope the senior Senator from Utah will reconsider his recent vote against moving forward on that CR and start working with us to get this straightforward CR across the finish line so we can avoid this shutdown and get back to passing our 12 bipartisan appropriations bills because that is the only serious solution here. That is the best way to make sure families are able to keep enjoying our national parks and park rangers and all of our public servants can do the work the American people are counting on and get the paycheck they deserve.

There are a lot of programs that we all care about that will be hurt by a shutdown, so we are not going to solve this problem one by one, carve-out by carve-out. As I said earlier, you don’t stop a flood one drop at a time; you build a dam.

We have a straightforward, bipartisan CR package to avoid a shutdown and keep our national parks open. Let’s get our jobs done and get that passed.

So I object.

The PRESIDING OFFICER. The objection is heard.

The Senator from Utah.

Mr. LEE. Mr. President, I am disappointed that we weren’t able to get this done today. It is hard for me to conceive of a legitimate reason sounding in public policy why we wouldn’t want to make sure that we hold harmless those States bold enough, brave