

NOMINATION OF MICAH W.J. SMITH

Mr. DURBIN. Madam President, today, the Senate will vote to confirm Micah Smith to the U.S. District Court for the District of Hawaii.

Mr. Smith attended Lock Haven University of Pennsylvania and Harvard Law School before completing two prestigious clerkships—first, for Judge Guido Calabresi on the Second Circuit Court of Appeals and, later, for Justice David Souter on the U.S. Supreme Court.

He then entered private practice and focused on complex civil litigation, including intellectual property, labor law, product liability, and the False Claims Act. In 2012, Mr. Smith joined the U.S. Attorney's Office for the Southern District of New York as an assistant U.S. attorney in the office's criminal division. As a line prosecutor, he handled cases including racketeering, murder-for-hire, drug trafficking, tax fraud, and money laundering. For 2 years, he also supervised 20 line prosecutors in the office's violent and organized crime unit. Mr. Smith is now a Federal prosecutor in the U.S. Attorney's Office for the District of Hawaii and currently serves as the deputy chief of the office's criminal division, as the criminal civil rights coordinator, and as the chief of appeals and legal strategy. Throughout the course of his career, he has tried 10 cases to verdict.

The American Bar Association unanimously rated Mr. Smith "well qualified" to serve on the district court. Senators SCHATZ and HIRONO recommended him to the White House and strongly support his nomination.

Mr. Smith is a seasoned practitioner with significant litigation experience in federal court, and he will be an asset to the District of Hawaii. I will be supporting this outstanding nominee, and I urge my colleagues to do the same.

Mr. MENENDEZ. I yield the floor.

VOTE ON SMITH NOMINATION

The PRESIDING OFFICER. All postcloture time has expired.

The question is, Will the Senate advise and consent to the Smith nomination?

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

The PRESIDING OFFICER. 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 Colorado (Mr. HICKENLOOPER) is necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Texas (Mr. CRUZ).

The PRESIDING OFFICER (Ms. BALDWIN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 57, nays 41, as follows:

[Rollcall Vote No. 320 Ex.]

YEAS—57

Baldwin	Heinrich	Reed
Bennet	Hirono	Rosen
Blumenthal	Kaine	Rounds
Booker	Kelly	Sanders
Brown	Kennedy	Schatz
Butler	King	Schumer
Cantwell	Klobuchar	Shaheen
Cardin	Lujan	Sinema
Carper	Manchin	Smith
Casey	Markey	Stabenow
Collins	Menendez	Tester
Coons	Merkley	Tillis
Cortez Masto	Mullin	Van Hollen
Duckworth	Murkowski	Warner
Durbin	Murphy	Warnock
Fetterman	Murray	Warren
Gillibrand	Ossoff	Welch
Graham	Padilla	Whitehouse
Hassan	Peters	Wyden

NAYS—41

Barrasso	Fischer	Ricketts
Blackburn	Grassley	Risch
Boozman	Hagerty	Romney
Braun	Hawley	Rubio
Britt	Hoeven	Schmitt
Budd	Hyde-Smith	Scott (FL)
Capito	Johnson	Scott (SC)
Cassidy	Lankford	Sullivan
Cornyn	Lee	Thune
Cotton	Lummis	Tuberville
Cramer	Marshall	Vance
Crapo	McConnell	Wicker
Daines	Moran	Young
Ernst	Paul	

NOT VOTING—2

Cruz
Hickenlooper

The nomination was confirmed.

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

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The assistant bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 378, Jamel Semper, of New Jersey, to be United States District Judge for the District of New Jersey.

Charles E. Schumer, Richard J. Durbin, Tina Smith, Alex Padilla, Jack Reed, Patty Murray, Christopher A. Coons, Sheldon Whitehouse, Mazie Hirono, Peter Welch, Richard Blumenthal, Jeanne Shaheen, Margaret Wood Hassan, Chris Van Hollen, Brian Schatz, John W. Hickenlooper, Robert P. Casey, Jr.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Jamel Semper, of New Jersey, to be United States District Judge for the District of New Jersey, shall be brought to a close?

The yeas and nays are mandatory under the rule.

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 Senator is necessarily absent: the Senator from Texas (Mr. CRUZ).

The yeas and nays resulted—yeas 54, nays 44, as follows:

[Rollcall Vote No. 321 Ex.]

YEAS—54

Baldwin	Hassan	Peters
Bennet	Heinrich	Reed
Blumenthal	Hirono	Rosen
Booker	Kaine	Sanders
Brown	Kelly	Schatz
Butler	Kennedy	Schumer
Cantwell	King	Shaheen
Cardin	Klobuchar	Sinema
Carper	Lujan	Smith
Casey	Manchin	Stabenow
Collins	Markey	Tester
Coons	Menendez	Van Hollen
Cortez Masto	Merkley	Warner
Duckworth	Murkowski	Warnock
Durbin	Murphy	Warren
Fetterman	Murray	Welch
Gillibrand	Ossoff	Whitehouse
Graham	Padilla	Wyden

NAYS—44

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

NOT VOTING—2

Cruz
Hickenlooper

The PRESIDING OFFICER (Ms. BUTLER). On this vote, the yeas are 54, the nays are 44.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Jamel Semper, of New Jersey, to be United States District Judge for the District of New Jersey.

The PRESIDING OFFICER. The Senator from Washington.

CHILDCARE

Mrs. MURRAY. Madam President, as you well know, because we have talked about it, our childcare system is simply broken. It is not working for families across our country, and we face a crisis now that continues to grow worse.

I have said that many times—many times—and I will say it again and again and again until we fix this broken system for good. And I am not the only one here in Congress who feels that way. Earlier this month, 48 of my Senate colleagues sent a letter to me and Vice Chair COLLINS, Leader SCHUMER, and Leader MCCONNELL urging us to include childcare funding in any emergency supplemental.

Today, many of them are joining me here on the Senate floor to lift up the

concerns that we are hearing from parents and making the case for providing robust childcare funding without delay.

We cannot pretend that childcare is any less urgent than the other challenges that we face. For every parent, childcare is a do-it-now problem, not a do-it-later problem. We need to treat it the same way here: urgent and essential.

Parents can't wait. They have to go to work tomorrow. They need accessible options now. Childcare workers cannot wait. They have to pay rent this month. They have to put food on their table tonight. They need a salary that lets them take care of their own families and that lets them keep doing what they love, instead of taking higher pay in retail or food services to keep their families afloat.

Providers can't wait. Their margins are already razor thin. If they don't get the support they need to cover operating costs until after they have raised prices and cut off families, after workers have already left, or after they are forced to close their doors, well, it is too late.

The writing on the wall is right now in big, bold letters. The childcare crisis is only going to get worse unless we take action and soon.

Childcare providers across the country are hanging on by a thread, especially now that our stabilization funding has expired, cutting off the lifeline that helped 220,000 providers stay open and helped provide childcare to nearly 10 million kids, while raising wages for childcare workers and lowering prices for working families.

If childcare centers don't get the support they need to make ends meet, the options for children and families is not pretty. We are talking about a very real possibility that childcare centers have to reduce the pay for their staff, lay off staff, serve fewer kids and families, raise their prices, or, in many cases, just simply shut their door.

This is a huge problem for working parents who can scarcely find childcare as it is. And even if they can find openings, that doesn't mean they can afford them. In fact, the already high cost of childcare is only getting worse. The latest data shows that in September, childcare prices jumped by the largest percent in a year. That means parents—especially moms—are feeling the crunch, and far too many are going to be forced to leave their job or unable to return to the workforce because it just doesn't square with their family finances.

Back in my home State, I have heard so many stories of families who are struggling with this. I just read a story about two parents, Lara and Rob. Rob had to leave his company to get a more flexible schedule because childcare was too expensive. So he and Lara have to trade off shifts and work fewer hours to make sure someone is watching the kids. And they are far from the only ones struggling with this.

The KUOW article featuring their story this week also mentioned a

woman named Monica—she is a therapist and former childcare worker who trades off working and watching the kids with her husband who is a police officer—and Skye, who is also trading off shifts with her husband since their childcare provider closed.

As she put it, "I definitely can't pay for soccer and my mortgage and some child care. I have to pick. So we've chosen soccer and mortgage and putting together this bizarre schedule where my husband is exhausted all the time and we barely see each other."

That is what parents are going through across Washington State and across our entire country. It is hurting everyone. You can draw a straight line from the expiration of the childcare stabilization funds at the end of September to the painful closure of childcare providers, to the subsequent scramble now by parents to find new and likely more expensive childcare for their kids, that is squeezing parents out of hours on the job, if not out of the workforce entirely, right to the employers who are left without the workers they need because you better believe it is going to have an impact on their bottom line.

Failing to shore up our childcare industry that holds up nearly every sector of our economy in the midst of a workforce shortage that is hitting small businesses and big firms alike will cost us a lot more than the investment in childcare we are asking for. We are going to lose jobs; we are going to lose workers; and our economy is going to continue to lose billions more in lost wages and revenue and growth.

We are talking a serious meltdown that costs our economy big if we fail to value our families and invest in the people parents need to watch over their kids.

There is no reason for this, not if we take action and take it soon.

As the Presiding Officer well knows, we cannot ignore childcare. This is hugely important for our national economy. It is one of the biggest line items on family budgets in many States, including my home State of Washington. Childcare now costs more than college tuition. We have to continue to stabilize the childcare system instead of standing by and letting things get worse and worse and worse.

Families get this, all of my colleagues on the floor with me today get this, and thankfully President Biden does as well. The President sent Congress a request for supplemental funding for urgent domestic priorities, and childcare was at the top of that list.

Now I am calling on all of our colleagues on both sides of this aisle to work with us to pass a package that funds critical needs at home, especially childcare.

I think everyone understands there is a lot happening in the world today. That is why we absolutely need to pass supplemental funding to meet our urgent national security challenges and soon, but as we continue to work to do

that, we also have to tackle the problems families face here at home, and that means addressing the growing childcare crisis.

We are the United States of America. We can stand with our allies around the world and tackle the challenges we face with our families here at home. If we are serious about the strength of this Nation, our communities, and our families, we have got to respond to the domestic challenges with the same resolve as we do with the national security challenges.

I am going to continue to work hard with everyone to do that, and I appreciate everybody's support and all of my colleagues who are here today to speak out on this.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. SMITH. Madam President, I rise with my colleagues today to say that childcare is a necessity for working families, and it is in all of our interests to make sure that families have a safe, affordable, high-quality place for their little ones. And that is why we need to step up and make sure that we provide support for childcare as we contemplate next steps for an emergency supplemental budget.

So for decades, Minnesotans have struggled to find childcare they can afford. Even before the pandemic, families told me that it cost them as much to pay for a year of daycare as to send their child to the University of Minnesota for a year.

I mean, of course, these young families haven't had years to save to pay for that childcare. So they can't afford over \$12,000 a year, and that is even if they can find a good, safe place for their infants and toddlers.

Then, of course, when the pandemic hit, family care providers came into my office to tell me that their businesses were about to collapse. And then what happened? Congress took crucial action. We came together to pass emergency relief so that providers could pay their bills and keep their doors open, and families had a place for their children. These relief programs were absolutely necessary to help childcare providers keep their doors open and to operate during those unprecedented times.

So here is the good news. Our efforts were a huge success. Minnesota providers, from the smallest of small businesses operating out of their homes to larger childcare centers, all tell me that they would not have survived without this help, and that is true not just in Minnesota but all over the country.

Just in Minnesota, the emergency childcare stabilization grants kept over 8,000 childcare providers going. It kept them going. They reached over 200,000 kids just in Minnesota, but also in every State. From Alaska to Alabama, every State saw really tremendous benefits. In fact—this is interesting—96 percent of childcare providers that got

help from these stabilization grants say that it helped them to stay open and operating.

So, colleagues, here is our challenge. On September 30, these programs expired, but the deep challenges that families and childcare providers face are still there. So we are back in the soup because, without help to these providers, they are back at risk themselves, and they face really terrible choices, as Senator MURRAY just described. Do they try to cut the pay for these workers, who are some of the lowest paid, underpaid workers—primarily women, primarily women of color—anyplace in the country. So that is one option—pay cuts for those workers who are struggling already themselves. Or do they try to increase prices, which we know will drive some families away because they literally cannot afford what it costs? Or, as Senator MURRAY says, do they just fold up? Do they just go out of business? Do they give up?

And if that happens, we know what we will see. We will see more women leaving the workforce at a time when many Minnesota businesses are telling me that they are struggling to find the talent that they need to grow their businesses.

So, colleagues, we took decisive action to bolster our Nation's caregiving infrastructure, and we got great results. And, now, we cannot afford to lose the progress that we made.

This is an issue that I think we all know people are paying attention to. In Minnesota and all over the country, they are noticing this. Childcare is one of the top issues that I hear about from people when I am home. I hear it from families in rural Minnesota who are driving 50 miles to take their kids to childcare. I hear it from families who are paying more than a third of their incomes to cover the costs of care for two children, and I hear it from employers and economic development professionals who want to hire and retain great talent, but they know that they can't do that unless there is a childcare center in their community that people can rely on.

So this is about our kids, but it is also about our economy. A recent study found that our broken childcare system cost the economy \$122 billion a year in lost earnings, productivity, and revenue. That is every year—\$122 billion.

So if you think about the return on investment for providing the grants to stabilize these childcare centers so that they are there for our families, it is so clear what the right thing to do is.

We can fix this. We know what to do because we did it once and it worked, and now we just need to do it again.

Now, I think that everyone in this room knows that we need a long-term solution to our childcare crisis, and many of us are working on that. But, in the meantime, right now, families don't have time to wait. We know what

to do. We know how to help parents. We know how to keep childcare providers open.

And so I urge my colleagues on both sides of the aisle: Let's take what we know worked, and let's do it again. Join us in providing urgently needed support for childcare. Join us for the good of our families, for the good of our babies and toddlers, and for childcare providers and for our whole country.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Madam President, I am here to join my colleagues because, across the country, working families are facing an impossible choice that is created by the lack of access to childcare.

Even before the COVID pandemic, families in my home State of New Hampshire and elsewhere have struggled to access affordable childcare, and they were often faced with shortages of available childcare slots. The pandemic exacerbated these challenges and caused childcare centers across the Granite State to close. That forced countless families to scramble for alternatives.

The closure of a childcare provider can result in higher costs for families, and in New England, we already pay some of the highest costs for childcare in the country. They can also require parents to leave the workforce altogether.

Since 2019, New Hampshire has lost nearly 1,500 childcare slots, as dozens of childcare centers have closed their doors. I have visited some of those centers from across my State—from Littleton, in the northern part of New Hampshire, to Rochester, down on the Maine border, to Manchester, our largest city, and over in the west to Keene. I have seen those closed classrooms and strained facilities in every corner of the Granite State.

In October of 2020, New Hampshire had only half of the licensed capacity necessary to serve children under the age of 6 who needed care—only half of the required slots for care. And in just one of our counties, Coos County, which is the northernmost county of the State and borders Canada, three childcare centers have closed since January of this year.

Like all of my colleagues on the floor, we worked to deliver more than \$50 billion in Federal funding for childcare during the pandemic. This is funding that was critical for allowing providers to keep their doors open, to improve childcare affordability and expand access, to increase wages for childcare workers, and to build a supply of childcare in States like New Hampshire. Now, with that relief funding running out, childcare providers are again facing an existential crisis.

Congress intentionally designed childcare relief during the pandemic to accomplish two goals: first, to provide direct relief to providers to stabilize the sector; and, second, to provide

States with the resources to make long-term investments to try and address childcare availability.

Now, I am disappointed to say that in my State of New Hampshire, they delayed the distribution of that long-term funding stream, which made the last 2 years unnecessarily burdensome for families and childcare providers across New Hampshire. In fact, I am hearing from providers who are in desperate need of additional support to avoid closing classrooms.

So I am really pleased that the President included \$16 billion for support for childcare in his domestic supplemental appropriations request to Congress, and we need to act as soon as possible to provide this critical funding.

We have got to act to stabilize not just the childcare industry that our families and workforce and communities rely on, but this is vital for our economy as a whole. Right now, the repercussions of the childcare crisis are being felt across every sector of our economy. I have heard from every industry in New Hampshire—manufacturing, healthcare, nonprofits, tourism—that the childcare crisis has hamstrung their ability to continue to grow their operations.

Over the summer, I traveled up to Coos County, that northernmost county of New Hampshire. I heard from parents and from one family, and a man named Michael, whose son's childcare center has recently closed. At the time of the closure, the nearest center with any open slots for him and his wife to be able to place their son was more than an hour away. That left Michael and his wife, like many families across the State, struggling to do their best to keep their jobs without local, reliable childcare. And where they live, their community can't afford for Michael or his wife, who is a critical healthcare worker, to leave the workforce.

New Hampshire's families should not have to choose between their children and their jobs, and New Hampshire's businesses should not have to face additional struggles to find qualified workers.

Families across America are relying on us—all of us here in Congress—to help childcare providers stay open and to provide affordable care options. This Federal funding would improve their lives while boosting our economy by helping parents keep their jobs or return to work.

I appreciate all of those who are here on the floor today, and everyone who is supporting additional funding, for speaking out to make sure that we try and do something as soon as possible to help the families who are in need.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Madam President, I am delighted to join my colleagues today from the Finance Committee. Our chairman is here. We did, I think, remarkable work to expand the

child tax credit during the COVID epidemic, and it made a truly remarkable difference in children's lives—nearly 50 percent reduction in child poverty. Why would you not want more of that? Yet we let it expire in 2021, and, sure enough, child poverty climbed back up again.

There was a lot of fearmongering, when we did it, that this was going to discourage people from working, that they would sit at home and sop up the tax credit. But the fact of the matter is, if you can't get childcare, you can't get to work. And if you can't get reliable, quality childcare, you can't move up into the kind of job where you don't have to worry about being called away because your childcare just fell apart.

So in Rhode Island at least, we saw families do more work as a result of this, and 174,000 Rhode Island children benefited. Families got \$264 million—low-income families—to pay for childcare, get to work, or step up to a better job.

At the same time, we also provided additional funding for childcare providers in that same American rescue plan, and that was another win. And you put the two together, and it really lifted families.

Right now, without Congressional action, 3 million children are projected to lose access to childcare, and 70,000 childcare programs could close.

Bring that to Rhode Island, and it is 21,000 kids in my State who could lose access to childcare, 680 childcare workers could lose their jobs, and 419 different childcare providers could close.

We simply cannot let that happen. It is wrong. It is dumb. It is penny-wise and pound-foolish.

We need to do three simple things: Make childcare a priority, encourage work and earning, and reduce child poverty. We can do those three things by reestablishing the child tax credit and continuing to support childcare providers.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. KAINE. Madam President, I will start by thanking my colleagues, especially Senator MURRAY, for organizing this effort and also for her life of being a passionate advocate for kids, especially as an early childhood educator.

And I will start in another way that is a little nontraditional and just be a proud dad. I have three adult children, and I am proud of them all for different reasons. But my middle son, I am proud of him because he is my only Phi Beta Kappa, and he also is an early childhood educator. He decided that working as a childcare provider is what he wants to do, and he has worked in both pre-K classroom settings and also individually for families.

I know how little he makes, 10 years out of college. I know how he loves to find some extra hours where he can make a little bit more. I was excited that he was excited, a few years ago, when he told me that he had picked up extra hours shoveling snow at the pre-

K classroom. Because he lives in Minnesota, there is a lot of snow to be shoveled. So on nights or on weekends when there is snow, he is going to make a little bit more by being the snow shoveler, so that kids, parents, and teachers can come safely to school that day.

The stories that I hear traveling around Virginia are the same that my colleagues have shared, but I just want to share two, one from a parent and one from a provider.

Heather is in Fairfax City, in the most populous part of Virginia. Here is what she told us:

One of the reasons my family ended up homeless was because we didn't have access to quality, affordable childcare for our boys when they were little. They also lost access to programs that would allow them to be school-ready.

When I was pregnant with our twins, I was hospitalized for almost 12 weeks, and we couldn't afford childcare for our boys, so my husband would drop them off at the hospital so that he would be able to go to work.

Unfortunately, without access to child care and a hospital being no place for kids to stay all day long, he ended up losing his job, which in turn meant we lost money to provide for ourselves. We had to go on SNAP to have food, and eventually, he lost his business, and we became homeless. . . . One of the biggest contributing factors was the lack of access to affordable child care.

At the time there was not enough space in programs like Head Start. Without access to affordable, quality child care, families are hurting. The lack of access to this vital service has forced families to not be able to go to work, go to school, or even leave kids at home in compromising positions just to be able to put food on the table.

I forgot to include that at this time, we were considered middle class before all this; both my husband and I are college educated. I was working at first, too, but also had to leave my job because we couldn't afford the child care for both of us to work. And my husband is an honorably discharged combat veteran. I meant to add this to help demonstrate how far-reaching this is and to break down myths about who this affects.

Quickly, at the other end of my State in Appalachia, Kristi, the owner of a childcare center in Blacksburg:

Since the pandemic, we have had to decrease the number of families that we were able to serve because we are having such a difficult time with our staffing. Being able to pay early childhood teachers has always been a significant difficulty for us, but since the pandemic, it has [become] tremendous. . . . I think what the Senate needs to understand is that if this industry collapses, and I would say we are very much on the verge of a major collapse, it is going to have a detrimental impact on the workforce [and our economy].

That is why we have to act to restore the childcare funding that created breathing room for our providers and our families, and I stand together with my colleagues to do all we can to support President Biden's request that we have \$16 billion in childcare funding at this most critical time.

With that, Madam President, I yield the floor.

The PRESIDING OFFICER (Ms. CORTEZ MASTO). The Senator from Oregon.

Mr. WYDEN. Madam President, my colleagues have said it so well. Very

briefly, I want to thank Senator MURRAY and all my colleagues who have done such good work.

Let me start by saying that we Democrats are generally not supposed to use the words "supply-side economics." I want everybody to understand we have to be supply-siders on childcare. We desperately need more childcare facilities. We need more built. And I have no qualms about saying as a proud Democrat and chairman of the Senate Finance Committee I am a supply-sider on the issue of childcare.

I will say that everywhere I go in my State, big communities and small communities, there are waiting lines, very long waiting lines, for childcare. It is absolutely unacceptable.

We have to increase our supply. We passed a number of good pieces of legislation. We have more to do.

Point No. 2 is this is a fundamental issue of American productivity. We know that we are trying to compete in tough global markets. The President of the Senate, in my part of the world, California, Oregon, and the West, we have a geographical advantage, a leg up on China. Let's not give it away with the absence of good childcare facilities.

You have to have childcare in order to be able to get to work and know that your kid is going to be OK while you are gone making a living.

Finally, the third point that I would make is that we need to tap all the resources that are available in our communities—all of them. Child care centers, in-home child care, and we should also be thinking of how to partner with churches.

This isn't a red or blue issue. It's not a rural or urban issue. It's an everyone issue. So our committees, working together, can do this. But we ought to utilize all our resources.

I am going to make this a filibuster-free zone. My colleagues have all said it, you know, really well. Supply-side economics for getting us more childcare facilities. Let's focus on this as a productivity issue, a competitiveness issue. Third, let's utilize all the resources in our communities.

I congratulate all my colleagues, and it is great to see the Finance Committee stalwarts out in force.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. Madam President, I am so glad to join my colleagues on the floor today to really emphasize how a family's life falls apart when they don't have access to good childcare.

I am one of a handful of parents of young kids. I have no complaints. Obviously, my wife and I make enough money so that we have been able to provide quality childcare for our kids, as we have both been working throughout their lives. But when you are living on a more modest salary—not a poverty wage but just a modest, lower middle income salary—your entire world can fall apart when you lose access to a quality childcare environment. People have to quit their jobs.

They have to move back in with their parents. They have to move their entire family to a different city or a different State. Your entire life gets upended when you can't find care for your child because you will upend your entire life for your child. Nothing matters more than making sure your child is safe.

So what we are forcing our families to do simply because we don't choose to do the right thing and provide funding to make sure there is affordable, quality childcare available—it is sending our families into unnecessary crisis all over this country.

In my State, I have had 124,000 parents report that their work has been disrupted by childcare issues, that they have had to leave work, that they have had to leave employment because of an interruption in childcare.

Our childcare centers in Connecticut—and we are a high-cost childcare State. We are a high-cost State in general. Eighty-nine percent of them report that they have had difficulty hiring staff, 60 percent of them say that right now they are understaffed, and 70 percent of them say that they have wait lists for new families, which just shows you that all over Connecticut, we have a total mismatch between the number of slots and the number of families who need those slots.

Of course, that delivers enormous harm to families but also to our workforce. I met a young woman a few weeks ago who lives in Hartford. She has a very young child. They are on a waitlist for a subsidized childcare slot. She wants to actually be a childcare worker. She wants to help solve the workforce shortage. But she can't get into the workforce. Why? Because she has to stay home to take care of her young child.

So this cycle that ends up impacting not just families but our economy writ large is one that we have to break.

I just want to leave you with this one last piece of math to just explain how serious this situation is in my State.

In Connecticut, we have a program called Care for Kids, and this is a program that does for lower income families—tries to give them some subsidy so that they can afford childcare. But that program cuts off for a one-child family at \$41,500 a year income. That is a lower middle income salary in Connecticut. That is a salary that is not unfamiliar in my State.

Let me just do the very quick math for you. For a family of three, a two-bedroom, one-bedroom house could be about \$1,800 a month. Childcare in Connecticut on average is going to be about \$15,000 a year. Total up just the costs for a family who makes just above the threshold to qualify for our subsidy programs. Let's say a family makes \$42,000, doesn't qualify for our subsidy programs, is spending \$22,000 a year on rent, and is spending \$15,000 a year on childcare. That is \$37,000 a year. They make \$42,000. They have

\$5,000 left. That is \$10 a week for everything else—for food, for your cell phone, for clothes for your kid. If you are making above the rate of subsidy in Connecticut, just the cost of childcare and rent leaves you with \$10 a week to survive. In the richest, most affluent country in the world, how can we justify leaving families who are doing the right thing, who are working, in that position?

That is why I am so glad to be here on the floor with my colleagues pleading with our Republican friends to do the right thing and support the President's proposed plan to support affordable, quality childcare in this country, for the families I represent in Connecticut.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Madam President, I am so pleased to be joining with my colleagues today to talk about something that is so fundamentally important for our families.

So many times, I have heard from folks saying: We are paying more for childcare than our mortgage payment and trying to keep our house together.

It is very frightening for many families trying to juggle those costs. So we have an urgent need for our families, for our economy, for our future.

Every morning, millions of families in Michigan and across the country go through the very same ritual. Sleepy children are roused out of bed, clothes are chosen, breakfasts are eaten, faces are washed, teeth are brushed, snacks are packed, and then it is a scramble out the door. Car seats are buckled and off to the local childcare center. Only then can mom or dad's workday begin. For millions of families, this essential daily routine is at risk of falling apart.

The American childcare system, already under severe strain before the pandemic, now is in danger of collapse. During the pandemic, I am so proud that we as Democrats cheered critical emergency funding that helped keep 10 million children in childcare. That funding expired, as colleagues have indicated, on September 30. Without it, more than 700,000 childcare programs could close—700,000—and 3.2 million families could be left scrambling.

As programs are forced to close their doors, quality care will be harder and harder to find, and what care is available will be harder and harder for families to afford.

Some people may say: You know, I don't have kids in childcare. Why should I care?

You will care when your doctor or dental appointment gets canceled because the nurse or the hygienist can't find anyone to watch their children that day. You will care when your favorite coffee shop shuts down because the owners can't find enough workers. You will care when your very best employee has to drop out of the workforce and stay home with her baby because she can't find quality, affordable childcare.

The childcare industry is like the scaffolding that our entire economy rests on. When that scaffolding collapses, down goes the economy. President Biden understands that, and he has requested the critical funding needed to keep this crucial scaffolding standing. It is time that we come together on a bipartisan basis and act. American families, American parents, and children just can't wait.

Just as importantly, we have another challenge we need to be meeting right now that relates to families, to moms and kids. We need to ensure that American moms and American babies aren't going hungry on our watch.

We have this wonderful program that has been supported on a bipartisan basis since the beginning called the WIC—Women, Infants, and Children—Program. It is a program that provides critical food assistance, medical screenings, breastfeeding support, baby formula, and nutrition education to pregnant moms, new moms, and children under age 5.

Right now, we also have a funding cliff happening and a critical need for funding. Since 1997, WIC has been fully funded to cover all eligible moms and babies and prevent waiting lists. Now, we can all come together. We should all be coming together to want healthy babies—pregnant moms being healthy, delivering healthy babies, and having the nutrition available for moms and babies during the early years of a child's life. That is what WIC does, and it has been fully funded since 1997.

Congress has always understood there can't be a waiting list for pregnant moms. How do you have a waiting list when the whole pregnancy lasts 9 months? It makes no sense. To get the nutrition that moms need and that babies need, we have to make sure there are not waiting lists, and newborns just keep growing whether they have the food they need or not.

But now there is a \$1 billion shortfall in the funding of the program. Without funding, full funding, moms and babies are at risk of being put on waiting lists for the first time ever in the history of the program in the United States or of seeing critical nutritional support cut. This would take away essential nutrition assistance during a critical time in a baby's life. Soon, States are going to start making decisions about their budgets, and we need to provide assurance to States that they can continue to serve everyone and keep their promise—our promise—to moms and babies.

As anyone who has done it knows, raising a family is a tough, tough job. The last thing parents should worry about when they are trying to wash those faces and find those coats and get the kids out the door is whether or not their childcare center is going to be open and available or whether they will lose the baby formula that their baby needs.

American families are raising the next generation. We always say children are our future. The fact is, they

don't wait to grow up. Whether we act or not, they just keep growing. We need to have a sense of urgency about this. We all care about our children. We need to act to make sure quality, affordable childcare is there and the nutrition support for our moms and babies is there as well.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Madam President, I rise today in strong support of Senator MURRAY's Child Care Stabilization Act.

We know how much of a lifeline this program has been for families, for childcare providers, and our economy since it was established in 2021. Thanks to this program, 220,000 childcare providers stayed afloat. Up to 10 million kids' childcare slots were saved, and the unemployment rate for moms with kids under age 6 empowered moms to return to work at rates we have not seen.

The need for high-quality childcare is one of those issues I hear about all over Minnesota, from the Iron Range up north to our farming towns in Southern Minnesota, from urban areas in the Twin Cities to suburbs across the metro. It doesn't matter how qualified you are or how badly you may want a job, if there is no one to watch your kids, you can't go to work. Too often, people are in this situation because there are simply no childcare options.

I think about Pam and her husband, who live in Cottage Grove, MN. They both work full time and rely on daycare centers to look after their two little kids. They are paying more than \$2,800 a month for childcare, meaning Pam's husband's whole paycheck goes toward paying those costs.

Pam told me:

We may soon join the increasing ranks of parents forced to leave the workforce because they have no other option.

Another Minnesotan, Erin, is a new mom, who a year after having her baby still can't find an open childcare spot. She sent email after email to local providers, but all she got in response was an overwhelming number of "no infant openings." Many of these providers told Erin that they wouldn't have openings for years. When she finally found an opening, she could hardly afford it.

Then there is Amelia, who lives in Richfield—a southern suburb in the Twin Cities—and pays over \$15,000 a year for each of her two kids. Her family is facing the same dilemma as so many others:

We can't pay our mortgage if I stay home, but we barely take anything home after paying to send our twins to preschool.

Pam, Erin, and Amelia, who live in different parts of our State—and they have way different jobs—and the 51 percent of Americans who also live in childcare deserts deserve better. They deserve high-quality childcare that is in their budgets and that actually has open spots for kids.

The good news? We have been making progress in my State. Here are a few examples.

In Redwood Falls, a brandnew childcare center will provide the area with more than 70 new childcare slots with a combination of funding, private and public.

The town of Morris—a college town near South Dakota—started a program that I visited. They have six childcare pods. They are apartments that could be converted to senior housing if they want, but it allows small providers—who maybe have six to eight kids—to have a place that is safe for the kids. They share a parking lot and the like. That facility in a smaller town serves more than 80 kids.

Just a few weeks ago, I was in new facilities in Perham, MN, at the Children's Corner. Those were two companies—one is food manufacturing, with about 700 employees, the other a healthcare company. They combined and paid for the expansion of the existing private childcare nonprofit facility, doubled the number of childcare slots, and got some promised to their kids out of those companies but a whole lot more for everyone else.

Fiscal year 2023 congressionally directed spending also made it possible for the Hallie Q. Brown-Martin Luther King Service Center in St. Paul to build additional daycare facilities.

We are making huge steps in the right direction, including coming out of our State legislature in the last year, but Congress needs to pick up this momentum to do right by people like Pam and Erin and Amelia and pass the Child Care Stabilization Act.

For far too many parents, the lack of available, affordable childcare is a barrier to finding a job. I thank Senator MURRAY for this incredibly important legislation. While we work to strengthen our childcare workforce—it has got to be a piece of this in a big way—and build facilities where families need them the most, we need to ensure that our childcare centers have the funding they need to provide affordable, high-quality care.

I yield the floor.

The PRESIDENT pro tempore. The Senator from Nevada.

Ms. CORTEZ MASTO. Madam President, I rise today, along with my colleagues, because, as the President pro tempore has heard, we have a childcare crisis in this country. Families can't afford it; employers don't have the funds to subsidize it; and providers can't pay their workers. In my home State of Nevada, it can cost more to send your kids to childcare than it does to send them to college. It is just outrageous, and we have to do something about it.

One of the many consequences of this crisis is that some parents who can't afford childcare have to stay home with their kids instead of reentering the workforce. I hear this all the time in Nevada. Nearly 39 percent of women with children younger than 5 years old

have quit their jobs in the last 3 years. Over 90 percent of those women willingly decided to leave their jobs and stop earning an income, not because they were laid off or had their hours cut back but because they needed to stay home with their children because they lacked the resources for childcare in this country to afford it. It is hurting our families. It is hurting our children and our economy, quite frankly. We must expand access to childcare now.

We took steps to lower childcare costs for families when we passed the American Rescue Plan. That funding has made a difference for families across the country. In Nevada, that means families of four that make up to \$70,000 a year are getting help covering their childcare costs. It means all copays for childcare programs have been waived. It means that thousands of families across my State have been able to breathe easier knowing that they won't have to choose between groceries and their kids' tuitions.

A perfect example is Christine McNally, who lives in Northern Nevada, in Reno. She works with these families every day at her two childcare centers in Northern Nevada. She told me about a single mom she works with who has three kids. Now, before the American Rescue Plan passed that lowered childcare costs, this mother was paying \$120 per week in copays. That is \$120 per week. Not having to cover the cost of these copays anymore has been huge for her and her family. It has helped alleviate so much financial pressure. Now she can pay her electric bills without having to worry about covering other costs, including childcare.

The problem is, as we have heard from our colleagues, this legislation expired this year, and, unfortunately, we don't have all of our colleagues who want to continue to support this. What I am hearing from some really far-right Republicans is a refusal to work with us to extend this program, and that is going to be devastating for so many families across the country, including in Nevada, including Christine's families whom she works with.

Thousands of them are going to see skyrocketing costs next year. Parents who have no one else to look after their children will face impossible choices, and many will choose to leave the workforce so that they can care for their kids themselves. Providers won't be able to continue to pay their staffs, forcing many to look for employment elsewhere, and childcare programs across the country will shut down. Families will have to stay on longer waiting lists for even more time to access the remaining programs. We just cannot let that happen.

Childcare is critical for our families. This isn't a partisan issue; this is about helping working families across the country. This is what they want. This is what I hear in my State. This is what I hear across the country. We

have to pass the Child Care Stabilization Act now to protect it and to protect our families.

I yield the floor.

The PRESIDENT pro tempore. The Senator from Massachusetts.

Mr. MARKEY. Madam President, across the country, parents and caregivers are bending over backward to try to get their children in early education. They are paying tens of thousands of dollars out of pocket, relying on family, friends, and neighbors, or are simply giving up work or their own educations because they can't find a childcare program with an opening. At the same time, overworked and underpaid providers are struggling to prop up childcare programs, burning themselves out, and leaving empty, shuttered classrooms behind them.

The system is broken, and if we leave it broken, we are failing multiple generations of people who are relying upon us to fix it—to fix the broken system.

As Marian Wright Edelman said, investing in children is not a national luxury or a national choice; it is a national necessity—a national necessity for our future.

If we want the 21st century to be better than the 20th century, we don't have a choice—it is a necessity.

When the pandemic began, Congress stepped up and provided the largest ever onetime investment in the childcare sector through the American Rescue Plan, and it worked. In Massachusetts, childcare providers received higher pay; programs stayed safe and open in more places and for more hours through the day. We kept classrooms open and prevented families from trying to decide how to continue working and finding a safe place for their children to learn, to grow, and to thrive.

But the pandemic-era money is drying up, and those cracks that ruptured in 2020 were from years of underinvestment long before we had ever heard of COVID-19. If we fail to maintain this investment—if we fail 3.2 million children who would lose their care and the 232,000 childcare workers who would lose their jobs—then it would be a tragedy for our country. It would ultimately be an economic catastrophe for our country that we did not invest in those children in the same way that we were invested in by preceding generations.

One of the reasons that they called an earlier generation the “greatest generation,” they weren't as wealthy as us, but they were wiser than us. They knew that every child had to be invested in. And that is why we are the country that we are today.

The challenge for this generation is, are we as wise as preceding generations? Do we understand that it is only out of selfishness that we would not make the same decision that those earlier generations made in children to whom they were not related either, who did not come from the same ethnic group as they did either, but they did it because it would help our country?

I am so proud that Massachusetts is a leader in childcare. State-level investments have saved almost 1,000 programs and 18,000 seats across the State from closure. But we can't expect States to keep plugging the holes of a failing system. We can't keep letting early educators and childcare providers bear the weight of underinvestment. We can't let generations of families fall behind because of a broken system. And we cannot let our childcare system—and all of the children, all of the families, all of the workers and providers in it—fall off a cliff because there isn't enough funding for the children in our country to get the care that they need.

We need to give States the financial freedom to invest, to improve quality, to reduce costs, and to expand access. We need to guarantee children and families have high-quality childcare. We need a national, permanent solution to the childcare crisis.

If we want kids to thrive when they start school, if we want families to move out of poverty, we need to fund stabilization, support children and families, and build a childcare system that works.

So I thank Senator MURRAY for her great historic leadership on this issue, for fighting for all of those children in our country to make sure they get the help that they deserve, because they are the ones who are going to make America better in the 21st century.

Young people are only 20 percent of our population, but they are 100 percent of our future. That is all Senator MURRAY is talking about. Let us invest in them in the same way that we were invested in by previous generations.

NOMINATION OF JAMEL SEMPER

Mr. DURBIN. Madam President, today, the Senate will vote to confirm Jamel Semper to the U.S. District Court for the District of New Jersey.

Mr. Semper attended Hampton University and Rutgers Law School before clerking for Judge Harold Fullilove on the Essex County Superior Court of New Jersey. He then spent 10 years as a state prosecutor in both the Union County Prosecutor's Office and the Essex County Prosecutor's Office, where he prosecuted a range of criminal offenses, including sexual assault, firearms offenses, fraud, and murder. During this time, he was also the lead prosecutor in a domestic terrorism and murder case that involved the first prosecution of a homicide under New Jersey's domestic terrorism statute. In 2018, Mr. Semper joined the U.S. Attorney's Office for the District of New Jersey. He now serves as deputy chief of the office's criminal division and is responsible for implementation of the office's violent crime reduction strategy. Mr. Semper is a highly experienced litigator, having tried at least 40 cases to verdict, including both jury and bench trials.

The American Bar Association unanimously rated Mr. Semper “well qualified” to serve on the district court, and

the New Jersey Senators strongly support his nomination.

Mr. Semper's deep ties to New Jersey and proven dedication to equal justice will make him an asset to the district court. I will vote in favor of his nomination, and I urge my colleagues to do the same.

Mr. MARKEY. With that, I yield the floor.

The PRESIDING OFFICER (Ms. CORTEZ MASTO). The Senator from Washington.

Mrs. MURRAY. Madam President, I ask unanimous consent that all time be yielded back, and that the scheduled vote begin immediately.

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

VOTE ON SEMPER NOMINATION

The question is, Will the Senate advise and consent to the Semper nomination?

Mrs. MURRAY. I ask for the yeas and nays.

The PRESIDING OFFICER. 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 Senator is necessarily absent: the Senator from Texas (Mr. CRUZ).

The result was announced—yeas 54, nays 44, as follows:

[Rollcall Vote No. 322 Ex.]

YEAS—54

Baldwin	Hassan	Peters
Bennet	Heinrich	Reed
Blumenthal	Hirono	Rosen
Booker	Kaine	Sanders
Brown	Kelly	Schatz
Butler	Kennedy	Schumer
Cantwell	King	Shaheen
Cardin	Klobuchar	Sinema
Carper	Lujan	Smith
Casey	Manchin	Stabenow
Collins	Markey	Tester
Coons	Menendez	Van Hollen
Cortez Masto	Merkley	Warner
Duckworth	Murkowski	Warnock
Durbin	Murphy	Warren
Fetterman	Murray	Welch
Gillibrand	Ossoff	Whitehouse
Graham	Padilla	Wyden

NAYS—44

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

NOT VOTING—2

Cruz Hickenlooper

The nomination was confirmed.

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