

I yield the floor.

Mr. MARKEY. Thank you, Senator CARDIN. Thank you for your leadership in bringing our delegation to COP28. And what a delegation with you as the chairman of Senate Foreign Relations; Senator CARPER, the chairman of Environment and Public Works; and Senator WHITEHOUSE, a historic leader on these issues—and even sitting out here on the floor right now, Senator WYDEN, who was so instrumental in ensuring that the IRA passed and that it had the incentives to unleash a clean energy revolution that had been long overdue in terms of having a response. So we thank you.

And we thank the young people—the pages—who are here today because they are the true leaders of this movement.

Coming off the heels of this year's climate talks, it was clear that COP28—the international climate conference—was an opportunity to lift our gaze, to lift the planet's gaze to the constellation of possibilities for our ability to be able to respond to this crisis that is affecting our planet and to readjust the gravitational force of fossil-fueled interests that pull our countries away from climate action.

I have been to many international climate conferences over the years. I know how much it matters to give countries a space to convene, to give advocates a chance to hold governments accountable, and to give the public a direction for a livable future. COPs give us a chance to organize and not just agonize about the climate crisis.

I was encouraged to see the final COP28 deal include a call to transition away from fossil fuels, as well as an agreement on the fund for losses and damages due to climate change.

We have never had such a strong signal that it is time to close the chapter on the heyday of fossil fuels. But the science is clear: Weak agreement language will not keep our planet strong. We can't just agree to consider lifesaving actions; we must commit to those lifesaving actions.

COP28 came to a loophole-filled end, less an embrace of a fossil-free future and more a step in the right direction when we needed to be sprinting toward a fossil-fuel phaseout on the planet.

The climate crisis disproportionately impacts people who are least responsible, most affected, and, most often, left behind: poor, marginalized, and indigenous communities.

We can't build walls around the climate crisis so we have to build bridges. To be a leader, the United States must commit to phasing out fossil fuels and to putting our money where our mouth is. We have done it at home with the Inflation Reduction Act, which is already unleashing commitments of nearly \$300 billion in private funding for clean energy in just the first year since it passed. And it has the potential of ultimately unleashing trillions of dollars of private sector investment

over the next decade. And I think it will do that.

But now we need to do it internationally as well. We have to provide direct finance for clean energy and climate resilience. We must push the World Bank and we must push the International Monetary Fund to do more and to do better, and we must stop subsidizing, financing, and approving new fossil fuel plants around the world.

We cannot preach temperance from a barstool. And the United States right now is drunk on oil and natural gas production and exports from our country around the world. Plus, we continue to foot the bill for other countries' fossil-fueled binges.

In the face of these challenges, the answer is not to reverse course on our climate and clean energy commitments. It is to double down. It is to do more. It is to respond to this moral challenge to our country and to our planet, to the challenge which young people are given, to this body, and to the world to respond to a crisis that was not dealt with by preceding generations.

Trying to solve climate change without a phaseout of fossil fuels is like trying to end lung cancer without getting off cigarettes. Our prescription here is clear: Phase out fossil fuels and build clean economies here at home and abroad at the same time.

And I look forward to continuing to partner with my colleagues in Congress, members of Parliament around the world pushing for a fossil-free future, environmental and climate justice organizations led by young people, and all those who are working for a global Green New Deal. Young people are leading us, and we must respond to them.

They are right and the fossil fuel industry is wrong on every one of these issues, and we have to continue to respond to this challenge politically. We have taken important steps, and the Senators who are here today led that effort but without a single Republican vote. We cannot sprint toward the solutions if we do not have more support from the Republican Party. We will not have credibility with the rest of the world if we continue to build LNG export facilities to send natural gas around the world, to addict countries to natural gas while we should be helping them to deploy wind, solar, all-electric vehicles, battery storage technologies, and other clean energy technologies.

That is what we should be doing. We have to end this era where we are about to try to build dozens of LNG—liquefied natural gas—plants to addict the rest of the world.

Fossil fuel climate change is a threat to each and every one of us. So each and every one of us has a role to play in heeding the COP's call to action.

I thank you, Mr. Chairman. I thank you for your leadership. Thank you for convening us here today.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Madam President, let me thank Senator MARKEY again for his extraordinary leadership.

I want to also acknowledge Josh Klein for the work that he did as our staff person for COP28.

Madam President, Senator WYDEN is on the floor. I know he is planning to speak on Martin O'Malley to be the next Administrator of the Social Security Administration, but I want to take this time to thank Senator WYDEN for his leadership on the climate agenda.

We marked up in the Senate Finance Committee the energy provisions that ended up in the Inflation Reduction Act well before the Inflation Reduction Act was put together as a package. And it was the work that Senator WYDEN led in the Finance Committee that provides the predictability to the future of our Tax Code to reward renewable energies.

We were asked in the COP meetings: What happens if there are changes in elections, will America still be strong on the climate? And we pointed out our Tax Code, which we have been able to continue tax provisions. And Senator WYDEN has led the effort to make sure we have a strong tax base to reward renewable energy sources so that we can do exactly what Senator MARKEY said: transition off of fossil fuels to renewables.

I just really want to acknowledge the work that Senator WYDEN has done on the climate agenda. And he was a very popular person in Dubai, even though he was not there.

Mr. WYDEN. Madam President, I don't want to make this a bouquet-tossing contest. The fact is, the four Senators on the floor have together put in decades and decades and decades prosecuting the cause of clean energy. And the fact of the matter is, we had tried a lot of things over the years. We tried cap and trade.

I was a strong supporter of Senator MARKEY's efforts. We tried carbon taxes. We tried border adjustment. And particularly three of the four Members over here are from the Finance Committee—they were willing to take the risk of saying we ought to basically, if not throw the Tax Code in the garbage can as it relates to energy, get pretty darned close in terms of creating a whole new set of incentives.

I am going to speak about Martin O'Malley's candidacy here for a few minutes. But I just wanted to say to these four, we would not have even gotten a major climate bill out of the Senate Finance Committee to break 50 years of gridlock. That is how the New York Times described it: 50 years of trying. And the Finance Committee broke that gridlock. It wouldn't have happened without these four Senators. I want them to know that.

NOMINATION OF MARTIN O'MALLEY

Madam President, in a few minutes, the Senate is going to vote on the nomination of Martin O'Malley to be the Commissioner of the Social Security Administration.

As the chair of the Senate Finance Committee, I led, with several of my colleagues here, consideration of Martin O'Malley's candidacy for this position. I want to recommend him to the U.S. Senate in the strongest possible terms.

Now, Americans may see the title of Social Security Commissioner and ask: What in the world does that person do? I worked hard—that typical working-class person will say—to earn my Social Security. Now, I am looking forward to getting it. So what else is there to do?

Well, the job of the Social Security Commissioner is pretty important because the job is to do right by the more than 60 million Americans who count on Social Security every month.

And those 60 million Americans, who are counting on those benefits, have, within their group, millions who are walking an economic tightrope every month. They balance the food bill against the fuel bill and the fuel bill against the rent bill.

The average amount for Social Security retirement benefits is \$1,847. And often in our house, we would ask: Who is counting? I am telling you, those folks I just described are, because \$1,847 is less than the median monthly rent nationwide.

What this means is, no matter who you are, what job you did for a living, you earned benefits. And you want to make sure that the Commissioner, working closely with their colleagues, delivers them on time, accurately, and with speedy customer service to resolve any errors. My colleagues on the Finance Committee know from our hearings, that, unfortunately, this has not always been the case. There have been way too many instances of overpayments and clawbacks, customer service shortfalls, technology woes, other problems that make it harder for Americans to get their earned benefits.

Throughout his nomination process, Martin O'Malley has made it clear that his No. 1 priority—his priority above all else—will be improving customer service. We asked him repeatedly how he views this position and he gave the same answer each time: This position is not about politics; it is about service. Martin O'Malley made it clear that he would focus on modernization and improving transparency, just as he did in his previous position helping Marylanders get the services they count on.

I believe and I say to the Senate—and we have Senator CARDIN here who has known the nominee for decades—that Martin O'Malley understands that there is no Republican or no Democratic way to make sure that we deal with overpayments. We have to get this fixed, and the Senate Finance Committee will work with the Social Security Commissioner to get it done. I talked with Senator CRAPO, the ranking member, about it and we are going to insist that Martin O'Malley, who I believe will be confirmed, brief us every month—every single month—

until overpayments are fixed. We heard from Senator CARDIN and Senator Mikulski, our former colleague, that this kind of accountability is in Martin O'Malley's DNA.

Martin O'Malley's leadership is going to be needed in the days ahead. All those Americans who paid into Social Security want to know without any ifs, ands, or buts that these issues of clawbacks and delayed services are going to be fixed.

If you get a letter from Social Security—as the Finance Committee has heard about in our Committee hearings—saying you owe tens of thousands of dollars through no fault of your own, that is life-altering and it is wrong. Those mistaken overpayments can be the difference between paying for groceries, having electricity during a cold winter, and paying for essentials. And we have to get this fixed.

As I made clear at the Senate Finance Committee's bipartisan vote supporting Martin O'Malley, having had the honor to serve on this committee for a number of years like my colleagues, this program, which is as important as any for millions of Americans, deserves to be one that delivers to the American people without the problems with service and clawbacks and delays that we were told about in our hearings.

I believe Martin O'Malley will deliver that. I believe he is the right person for the job at the right time. We are going to vote in about 10 minutes. I urge all my colleagues to support him as well.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Madam President, I would like to be recognized for maybe 5 minutes to speak on behalf of the nomination of former Governor Martin O'Malley. Senator CARDIN and others have known Martin for a long time; I have as well.

I think I met him when he was 18. He was part of an Irish folk group that was performing not just around Maryland or around Baltimore but as far away as Delaware—great places where people would come for great music, Irish music, and maybe a drink or two. Martin, I think, was too young to get in as a customer, but he could come in, apparently, as a part of a troupe and provide entertainment.

I knew at that time he was a future Commissioner for Social Security—not really.

Seriously, what I did know was he does pretty good harmony. In the jobs he has had since then, he has demonstrated that again and again. He and I both served as Governors of respective States part of Delmarva. We were not Governors at the same time, but very close together. He provided great leadership for our neighboring State of Maryland as Governor for many years, and I was pleased to be not just his colleague but just a friend.

The day I was sworn into the House of Representatives a million years ago

in 1983, we were told as freshmen at our orientation that Social Security was running out of money and if somebody didn't do something about it, eventually, there would be a haircut, benefits would be reduced. And, ultimately, if we didn't take some strong action, there would be a lot more than a haircut and we might even see those benefits go away.

With strong bipartisan leadership from our President Ronald Reagan and strong bipartisan leadership from the House Speaker with whom Senator WYDEN and I served, Tip O'Neill, we worked together to enact to reform—a whole host of reforms, as you recall—that ended up saving the Social Security Trust Fund.

Today, the Social Security Administration programs are an important safety net that provide financial support for not just a couple of million people but tens of millions of people in this country—mostly people in their sixties, seventies, eighties, and nineties, but also people who are disabled and not able to work, and in some cases, children lose a parent in a tough situation.

I have known Martin forever and respect him in his leadership, not only as a Governor but also as mayor of Baltimore and other State and local jurisdictions. I think they make him exceptionally well-suited to lead the administration in its efforts. As a Governor, you get to be involved with a lot of retirement issues, a lot of pension issues for not just the State employees in Delaware but with county and local folks, educators, all kinds of people. In the State of Delaware, you have to be conversant with health insurance benefits for people with wide ranges of ages and needs. When you are Governor, you are trained on the job. He has had excellent experience to help him prepare him for this responsibility.

The other thing I want to mention is it is an interesting lineup of organizations that have endorsed him and are supporting his nomination. Some we would expect, but others come as sort of a surprise. This is part of a large group. The International Brotherhood of Teamsters is among them. Social Security Works is among them. The National Committee to Preserve Social Security and Medicare is among them. But the list goes on and on and on.

So from one recovering Governor—that is me—to another—that is Martin—I want to thank Governor O'Malley for really extraordinary service to our country and for doing it in a way that doesn't rub people the wrong way—it doesn't create animosity—but in a way that really fosters harmony, the kind of harmony his singing group used to excel at all those years ago.

He will do a great job. He will make us proud. I know from my colleagues in Maryland and others who served with him as Governor and other capacities, we have already seen him in action, and we would be hard-pressed to do better than Martin O'Malley.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Madam President, I had a chance a little bit earlier this evening to talk about Governor O'Malley. I just really want to compliment Senators WYDEN and CARPER for their comments.

I really want to underscore this one point about Governor O'Malley. There are a lot of things we can really harp upon, but he is going to have two people in mind as the administrator of Social Security Administration. One will be that individual who depends upon the benefits, receiving those benefits that they are eligible for in a timely way through determinations and receiving their checks on time and getting the customer information they need in regard to these benefits. That is called consumer service; that is called serving the public. He is going to be laser-focused to make sure they don't have to wait on a call line for minutes—tens of minutes, as it is today—but that it can be done in a timely way; that determinations can be made in a timely way; and that checks are received.

But the second group he will be equally focused on is the workforce of the Social Security Administration. They have been asked to do more with less over time. Governor O'Malley knows how to bring out the strength of the workforce, supporting the workforce in their mission, rewarding the good service that they perform.

So I think we are going to have a leader at the Social Security Administration who will understand the responsibilities to the recipients as well as those performing a public service on behalf of the Social Security Administration.

I am excited about his willingness to take on this responsibility. I have seen him take on incredible challenges from being a mayor of Baltimore and dealing with the challenges we have in our urban centers to taking on the responsibilities of a Governor and having to deal with 188 state legislators. That is not an easy task.

He will find this challenge one he is ready for, and I am very excited about the fact we are about ready to vote for his nomination.

I ask unanimous consent that notwithstanding the 5:30 time for voting, the vote begin immediately.

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

VOTE ON O'MALLEY NOMINATION

The question is, Will the Senate advise and consent to the O'Malley nomination?

Mr. CARDIN. 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 Pennsylvania (Mr.

FETTERMAN), the Senator from Colorado (Mr. HICKENLOOPER), the Senator from Maine (Mr. KING), the Senator from California (Mr. PADILLA), the Senator from Michigan (Mr. PETERS), the Senator from Massachusetts (Ms. WARREN), and the Senator from Vermont (Mr. WELCH) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the Senator from Tennessee (Mrs. BLACKBURN), the Senator from Arkansas (Mr. BOOZMAN), the Senator from Indiana (Mr. BRAUN), the Senator from Alabama (Mrs. BRITT), the Senator from North Carolina (Mr. BUDD), the Senator from Louisiana (Mr. CASSIDY), the Senator from Texas (Mr. CORNYN), the Senator from North Dakota (Mr. CRAMER), the Senator from Texas (Mr. CRUZ), and the Senator from Montana (Mr. DAINES).

Further, if present and voting: the Senator from North Carolina (Mr. BUDD) would have voted "nay".

The following Senators are necessarily absent: the Senator from Iowa (Ms. ERNST), the Senator from Nebraska (Mrs. FISCHER), the Senator from South Carolina (Mr. GRAHAM), the Senator from Tennessee (Mr. HAGERTY), the Senator from Missouri (Mr. HAWLEY), the Senator from Mississippi (Mrs. HYDE-SMITH), the Senator from Wisconsin (Mr. JOHNSON), the Senator from Utah (Mr. LEE), the Senator from Wyoming (Ms. LUMMIS), the Senator from Kansas (Mr. MARSHALL), and the Senator from Kansas (Mr. MORAN).

Further, if present and voting: the Senator from Kansas (Mr. MARSHALL) would have voted "nay".

The following Senators are necessarily absent: the Senator from Kentucky (Mr. PAUL), the Senator from Idaho (Mr. RISCH), the Senator from Utah (Mr. ROMNEY), the Senator from Florida (Mr. RUBIO), the Senator from Missouri (Mr. SCHMITT), the Senator from Florida (Mr. SCOTT), the Senator from South Carolina (Mr. SCOTT), the Senator from Alaska (Mr. SULLIVAN), the Senator from Alabama (Mr. TUBERVILLE), and the Senator from Ohio (Mr. VANCE).

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

The result was announced—yeas 50, nays 11, as follows:

[Rollcall Vote No. 347 Ex.]

YEAS—50

Baldwin	Duckworth	Merkley
Bennet	Durbin	Murkowski
Blumenthal	Gillibrand	Murphy
Booker	Grassley	Murray
Brown	Hassan	Ossoff
Butler	Heinrich	Reed
Cantwell	Hirono	Rosen
Capito	Kaine	Rounds
Cardin	Kelly	Sanders
Carper	Klobuchar	Schatz
Casey	Lujan	Schumer
Collins	Manchin	Shaheen
Coons	Markey	Sinema
Cortez Masto	Menendez	Smith

Stabenow
Tester
Tillis

Van Hollen
Warner
Warnock

Whitehouse
Wyden

NAYS—11

Cotton
Crapo
Hoeven
Kennedy

Lankford
McConnell
Mullin
Ricketts

Thune
Wicker
Young

NOT VOTING—39

Barrasso
Blackburn
Boozman
Braun
Britt
Budd
Cassidy
Cornyn
Cramer
Cruz
Daines
Ernst
Fetterman

Fischer
Graham
Hagerty
Hawley
Hickenlooper
Hyde-Smith
Johnson
King
Lee
Lummis
Marshall
Moran
Padilla

Paul
Peters
Risch
Romney
Rubio
Schmitt
Scott (FL)
Scott (SC)
Sullivan
Tuberville
Vance
Warren
Welch

The nomination was confirmed.

The PRESIDING OFFICER (Mr. HEINRICH). 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.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the following nomination, which the clerk will report.

The bill clerk read the nomination of Christopher Charles Fonzzone, of Pennsylvania, to be an Assistant Attorney General.

The PRESIDING OFFICER (Ms. SMITH). The majority leader.

LEGISLATIVE SESSION

Mr. SCHUMER. Madam President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I move to proceed to executive session to consider Calendar No. 445.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of John David Russell, of Oklahoma, to be United States District Judge for the Northern District of Oklahoma.

CLOTURE MOTION

Mr. SCHUMER. Madam President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the