

House of Representatives and 28 years in public service overall.

Since his time in the House, he has been a tremendous, aggressive, effective, and passionate member of the California delegation in particular, and one of the true stars of the Congressional Hispanic Caucus.

He is my fellow “tiger” from San Fernando High School. He was my first boss in politics, and, more recently—to the thrill of our wives—my roommate here in Washington. For many decades now, TONY has been a cherished friend and truly a brother in politics and in life.

TONY CÁRDENAS is a champion for the San Fernando Valley and has been for nearly three decades, and TONY’s story and legacy deserves to be celebrated and remembered. And that is why I choose to make these remarks today, so that they are a permanent record; yes, even here in the U.S. Senate.

Now, he was raised just a few blocks from where I grew up in the proud working-class community of Pacoima. ANTONIO “TONY” CÁRDENAS was born on March 31, 1963, the youngest of 11 children born to Andrés and Maria Cárdenas.

And, yes, TONY is just a few years ahead of me, but our stories followed similar paths. TONY’s parents and my father are from the same State of Jalisco in Mexico, and they immigrated to the United States in search of a better life—in pursuit of the American dream. Colleagues, that you know I fight so hard to defend.

We both attended Telfair Elementary School and went on to attend San Fernando high school. And when it came time to attend college, despite discouragement from some of our teachers, we both went on to college and earned engineering degrees.

Yet it is in part because of TONY and his passion and commitment to community that I left what could have been a very promising and fruitful career in engineering to pursue public service. When TONY first set out to make a difference and run for the State Assembly in 1996, he actually took a chance on me asking me to be his campaign manager. When he asked, I couldn’t help but be honest. I looked at him, and I said: Tony, I don’t know the first thing about running campaigns. I think he was equally honest because he looked right back at me and said: Well, I don’t know the first thing about running for office. But you know me; I know you. We are smart. We are committed. We are hard-working. We will figure this out together. And I think we kind of did.

I was pretty young at the time, like, literally, fresh out of college. But he took a leap of faith on me, and I took a leap of faith on him. Like many, many young people—right?—you are cynical about politicians and about government. But I knew who TONY was as a person. I knew his values. I knew his work ethic. I knew his moral compass, aside from having so much in

common growing up. And I knew just how committed he was to our community and to making change.

See, TONY had previously left engineering and entered real estate. He had his own very successful real estate company. He could have moved on to live anywhere else and been tremendously successful in the private sector, but he chose to leave that and enter public service to improve the quality of life of the folks that we grew up with.

And from his very first election to the State Assembly—and he was an underdog candidate, trust me, but he was successful—to the times when he and I worked together on the Los Angeles City Council to the last few years when we served together here in the Halls of Congress, I have been blessed not just because of his mentorship, not just because of his friendship, but to just have a front row seat to his public service career.

I have seen him, and I have been inspired by him and his fights for justice and opportunities for at-risk youth; him leading the charge in our Nation’s clean energy transition—again, something that started years ago in prior offices but has continued here at the national level through his work in Congress; and his advocacy for better access to mental health care. He has done so much in a number of policy areas.

But what I admire most is sort of the through line in his narrative and in his career that he has never shied away from a righteous fight. The most righteous fights, as you know, are often the most hard battles to fight. TONY never shied away from that, and he won a heck of a lot more often than he didn’t because it was the right thing to do.

And I also appreciate and reflect on his public service and the way he has gone about carving out a path for others to follow. When I mentioned his first run for the State legislature in 1996, I take you back to a time where, even in the State of California, there were not nearly as many Latinos in positions of power at the Federal or State or even the local level. But through the power of his example, he has opened the door for so many others—including me—to dream of running for office, to think of running for office, to actually run for office, to win the opportunity and to serve well. Yes, colleagues, entire generations of young Latino leaders now see running for office and having a say in the decisions that affect our communities as the norm, not the exception. And it is, in part—large part—because of the trailblazing legacy of TONY CÁRDENAS.

And I would be remiss if I didn’t take a moment to thank his wife Norma, and his four children—Vanessa, Cristian, Andres, and Alina—and the entire Cárdenas family for sharing him with us for all these years.

And while next month TONY will officially step away from his work in the U.S. House of Representatives, I have no doubt that his service to others is not coming to an end. It will continue.

I look forward to continuing to fight alongside him for many, many years to come.

I yield the floor.

(The PRESIDENT pro tempore assumed the Chair.)

(Mr. KAINE assumed the Chair.)

CERTIFICATE OF APPOINTMENT

The PRESIDENT pro tempore. The Chair lays before the Senate a certificate of election to fill the unexpired term created by the death of the late Senator Dianne Feinstein of California.

The certificate, the Chair is advised, is in the form suggested by the Senate.

Hearing no objection, the reading of the certificate will be waived, and it will be printed in full in the RECORD.

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

STATE OF CALIFORNIA

CERTIFICATE OF ELECTION FOR UNEXPIRED TERM

To the President of the Senate of the United States:

This is to certify that on the 5th day of November, 2024, ADAM B. SCHIFF was duly chosen by the qualified electors of the State of California a Senator for the unexpired term ending at noon on the 3rd day of January, 2025, to fill the vacancy in the representation from said State in the Senate of the United States caused by the death of Senator Dianne Feinstein.

Witness: His excellency our Governor Gavin Newsom, and our seal hereto affixed in the City of Sacramento, this 17th day of December, in the year of our Lord 2024.

GAVIN NEWSOM,
Governor of California.

SHIRLEY N. WEBER, PH.D.,
Secretary of State.

[State Seal Affixed]

ADMINISTRATION OF OATH OF OFFICE

The PRESIDENT pro tempore. If the Senator-elect will now present himself at the desk, the Chair will administer the oath of office.

The Senator-elect, ADAM B. SCHIFF, escorted by Mr. WELCH and Mr. PADILLA, advanced to the desk of the President pro tempore; the oath prescribed by law was administered to him by the President pro tempore; and he subscribed to the oath in the Official Oath Book.

The PRESIDENT pro tempore. Congratulations.

The PRESIDING OFFICER (Mr. KAINE). The Senator from Vermont.

ORDER OF PROCEDURE

Mr. WELCH. Mr. President, I ask unanimous consent that all postcloture time on the motion to proceed to H.R. 82 be considered expired following the remarks of Senator LEE for up to 30 minutes; further, that following the motion to proceed vote, the Senate proceed to executive session; and further, that the cloture motions with respect to the Cheeks and Murillo nominations ripen at 11 a.m. on Friday, December 20.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.
The Senator from Utah.

H.R. 82

Mr. LEE. Mr. President, Congress must address the challenges facing Social Security. Unfortunately, the Social Security Fairness Act fails on all counts and doesn't even come close to living up to its name.

Let's start with the flawed benefit calculation this legislation seeks to return to. The government pension offset, or GPO, and the windfall elimination provision, or WEP, were enacted to fix serious problems in how Social Security benefits were calculated. Before the WEP existed, individuals with mixed careers in public and private sectors often received more in Social Security benefits than they were entitled to receive.

Imagine two people, each earning \$85,000 annually in their respective primary jobs. One worked in the private sector and paid into Social Security, but the other person worked in the public sector, contributing to a State pension fund instead of Social Security. Both earned an additional \$10,000 a year from the side job that did pay into Social Security. Without WEP, the public sector workers would receive Social Security benefits as though they were a low-income earner, based solely on their \$10,000 in side income. This miscalculation would grant them overly generous Social Security benefits on top of their public pension and act contrary to and against the interests of other Social Security beneficiaries.

The GPO addresses a similar issue with spousal benefits. It ensures that spousal benefits are adjusted to reflect income from public pensions, preventing unfair overpayments under Social Security.

The WEP and the GPO are far from perfect. They are very imperfect. They were enacted at a time when Congress lacked access to the full data needed to make precise adjustments, but they were designed to fix real problems, and they do exactly that. If Congress repeals these provisions without replacing them with a better system, we will revert to a broken model that unfairly rewards some at the expense of others—and that is not ideal.

But let's talk about what this bill would mean for the solvency of Social Security.

Social Security is already on a dangerously unsustainable path. The trust fund, which has been raided time and time again by Congress, is projected to run out of money in the next decade, which would lead to across-the-board benefit cuts. This bill would not fix that. In fact, this bill would accelerate that crisis.

According to the Congressional Budget Office, repealing the GPO and WEP would cost \$196 billion over the next 10 years. It would push Social Security's insolvency up by 6 to 8 months, making an already dire situation worse. Con-

gress must focus on solutions that strengthen Social Security's financial health, not hasten its collapse.

Look, there is just no reason—certainly no legitimate reason—to force a vote on this issue right now before we have an administration that will prioritize meaningful, fiscally responsible reform. Republicans should focus on advancing solutions that align with our principles. We have an incoming Republican Senate majority and an incoming Republican President. We should stick to the principles that have gotten us elected and reelected.

This bill is fundamentally unfair. It is unfair to the vast majority of Americans who have paid into Social Security their entire working lives. About 96 percent of the workforce contributes to Social Security. They rely on it as an important part of their retirement security. This bill would force those workers—96 percent of them in America—to subsidize overly generous benefits for the 4 percent of the workforce—those who do not participate in Social Security—and, instead, contribute to noncovered pensions. Most State employees already pay into Social Security and would be harmed, not helped, by this legislation. The Social Security Fairness Act would reward a small minority at the expense of the vast majority of American taxpayers. That is not fair.

When we look at the overwhelming majority—96 percent—those who would be harmed by this—it is not fair to take something away from them to move up by 6 to 8 months the insolvency of the Social Security trust fund just to address the other 4 percent. Now, that is not to say that those 4 percent don't need to be addressed in some way, but the way that this bill does it isn't fair, and it is unsafe.

Look, the challenges of Social Security require solutions that prevent further mismanagement. The Social Security Fairness Act—a somewhat Orwellian name as I think about it—would take us back to a broken system, push the trust fund even closer to insolvency than it is already, and unfairly shift costs onto hard-working Americans.

I have been in this Chamber before when this body has voted to raid the Social Security trust fund. I have raised the alarm, and it has happened anyway. It is unpleasant; it is not an experience I care to revisit. But never have I seen us raid that fund to this degree—to the tune of almost \$200 billion. This is reckless, but it is worse than that; it is cruel.

We need real solutions that address the root causes of these challenges. Repealing the GPO and the WEP without fixing the underlying issues would be a step backward—a huge, painful step backward—and profoundly unfair. Congress has a responsibility to address Social Security's flaws with clarity and with courage. I urge my colleagues to reject this flawed legislation and commit to reforms that serve all Americans, not just a select few.

To reiterate, there is no reason why we have to rush this. This particular problem was many decades in the making. We can fix it. We can fix it responsibly. We don't have to rush it.

I implore my colleagues: You don't have to do this. We can fix this next year and fix it the right way. I ask my colleagues to oppose the motion to proceed.

VOTE ON MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, all postcloture time has expired.

The question is on agreeing to the motion to proceed.

Mr. CARDIN. Mr. President, 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 West Virginia (Mr. MANCHIN) is necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from West Virginia (Mrs. CAPITO), the Senator from Florida (Mr. RUBIO), and the Senator from Ohio (Mr. VANCE).

The result was announced—yeas 73, nays 23, as follows:

[Rollcall Vote No. 328 Leg.]

YEAS—73

Baldwin	Hassan	Reed
Bennet	Hawley	Ricketts
Blackburn	Heinrich	Rosen
Blumenthal	Hickenlooper	Sanders
Booker	Hirono	Schatz
Boozman	Hoeben	Schiff
Braun	Hyde-Smith	Schmitt
Brown	Kaine	Schumer
Cantwell	Kelly	Scott (FL)
Cardin	Kennedy	Scott (SC)
Casey	Kim	Shaheen
Cassidy	King	Sinema
Collins	Klobuchar	Smith
Coons	Lankford	Stabenow
Cornyn	Lujan	Sullivan
Cortez Masto	Markey	Tester
Cotton	Merkley	Van Hollen
Cramer	Moran	Warner
Duckworth	Mullin	Warnock
Durbin	Murkowski	Warren
Fetterman	Murphy	Welch
Fischer	Murray	Whitehouse
Gillibrand	Ossoff	Wyden
Graham	Padilla	
Hagerty	Peters	

NAYS—23

Barrasso	Grassley	Romney
Britt	Johnson	Rounds
Budd	Lee	Thune
Carper	Lummis	Tillis
Crapo	Marshall	Tuberville
Cruz	McConnell	Wicker
Daines	Paul	Young
Ernst	Risch	

NOT VOTING—4

Capito	Rubio
Manchin	Vance

The motion was agreed to.

The PRESIDING OFFICER (Mr. OSSOFF). On this vote, the yeas are 73, the nays are 23, and the motion is agreed to.

The motion was agreed to.

SOCIAL SECURITY FAIRNESS ACT
OF 2023

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 82) to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

EXECUTIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session.

The Senator from Alaska.

THE CALENDAR

Ms. MURKOWSKI. As if in legislative session, I ask unanimous consent that the Senate proceed to the immediate consideration of the following bills en bloc: Calendar No. 128, S. 623; Calendar No. 626, S. 4451; Calendar No. 635, S. 4974; Calendar No. 298, S. 2020; Calendar No. 606, S. 3617; Calendar No. 632, S. 4851; Calendar No. 608, S. 3790; and Calendar No. 591, S. 2784.

There being no objection, the Senate proceeded to consider the bills, en bloc.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the committee-reported amendments, where applicable, be agreed to; that the bills as amended, if amended, be considered read a third time and passed; that the committee-reported title amendment to S. 3790 be considered and agreed to; that the title of S. 3790, as amended, be considered and agreed to; and that the motions to reconsider be considered made and laid upon the table, all en bloc.

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

The bills passed, en bloc, as follows:

AMENDING THE ALASKA NATIVE CLAIMS SETTLEMENT ACT TO EXCLUDE CERTAIN PAYMENTS TO AGED, BLIND, OR DISABLED ALASKA NATIVES OR DESCENDANTS OF ALASKA NATIVES FROM BEING USED TO DETERMINE ELIGIBILITY FOR CERTAIN PROGRAMS

The bill (S. 623) to amend the Alaska Native Claims Settlement Act to exclude certain payments to aged, blind, or disabled Alaska Natives or descendants of Alaska Natives from being used to determine eligibility for certain programs, and for other purposes, which had been reported from the Committee on Energy and Natural Resources, was ordered to be engrossed for a third reading, was read the third time, and passed as follows:

S. 623

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. ELIGIBILITY FOR CERTAIN PROGRAMS.

Section 29(c) of the Alaska Native Claims Settlement Act (43 U.S.C. 1626(c)) is amend-

ed, in the undesignated matter following paragraph (3), by striking subparagraph (E) and inserting the following:

“(E) an interest in a Settlement Trust or an amount distributed from or benefit provided by a Settlement Trust to a Native or descendant of a Native who is an aged, blind, or disabled individual (as defined in section 1614(a) of the Social Security Act (42 U.S.C. 1382c(a)).”.

REVIEW AND EVALUATION OF STRATEGIES FOR EQUITABLE RESERVATIONS FOR VISITOR EXPERIENCES FEDERAL LAND ACT

The bill (S. 4451) to require the Secretary of the Interior to enter into an agreement with the National Academy of Sciences to carry out a study on reservation systems for Federal land, which had been reported from the Committee on Energy and Natural Resources with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Review and Evaluation of Strategies for Equitable Reservations for Visitor Experiences Federal Land Act” or the “RESERVE Federal Land Act”.

SEC. 2. DEFINITIONS.

In this Act:

(1) **BOOKING WINDOW.**—The term “booking window”, with respect to a Federal reservation system, means the time period during which a reservation or lottery entry is available to the public.

(2) **FEDERAL LAND.**—The term “Federal land” means—

(A) public lands (as defined in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702));

(B) National Forest System land;

(C) units of the National Park System;

(D) units of the National Wildlife Refuge System;

(E) sites administered by the Bureau of Reclamation; and

(F) sites administered by the Corps of Engineers.

(3) **FEDERAL RESERVATION SYSTEM.**—

(A) **IN GENERAL.**—The term “Federal reservation system” means any platform or method used by managers of Federal land to manage the quantity, type, distribution, and timing of recreational activities.

(B) **INCLUSIONS.**—The term “Federal reservation system” includes reservation, permit, lottery, metering, pricing, merit-based, and other similar management methods via online, telephone, paper, in-person, or other methods.

(4) **RECREATIONAL ACTIVITY.**—The term “recreational activity” includes camping, backpacking, climbing, paddling sports, fishing, hiking, driving, and other recreational opportunities.

(5) **SECRETARIES.**—The term “Secretaries” means—

(A) the Secretary of the Interior;

(B) the Secretary of Agriculture; and

(C) the Secretary of the Army, acting through the Chief of Engineers.

SEC. 3. NATIONAL ACADEMY OF SCIENCES STUDY OF FEDERAL RESERVATION SYSTEMS FOR RECREATIONAL ACTIVITIES ON FEDERAL LAND.

(a) **STUDY.**—

(1) **IN GENERAL.**—The Secretaries, acting jointly, shall, not later than 60 days after the date of enactment of this Act, enter into an agreement with the National Academy of Sciences to carry out a study of Federal reservation systems for recreational activities on Federal land.

(2) **REQUIREMENTS.**—In carrying out the study under paragraph (1), the National Academy of

Sciences shall consult with the Secretaries to carry out the following:

(A) A review of the history of Federal reservation systems, such as recreation.gov, including a review of—

(i) the considerations, including data, that led to the establishment of the applicable Federal reservation system;

(ii) the iterations of the applicable Federal reservation system over time to meet the needs of the applicable Federal agency;

(iii) any visitor feedback provided with respect to the applicable Federal reservation system; and

(iv) scientific literature or studies examining the efficacy of Federal reservation systems, including user preferences with respect to Federal reservation system design and implementation.

(B) Based on available data and existing research, answer the following questions:

(i) What are the benefits and challenges of implementing Federal reservation systems to achieve management goals for Federal land, including resource protection, enjoyable visitor experiences, and sustainable operations and facility use?

(ii) What data are available, and what additional data are needed, to understand demand for recreation on Federal land? How can the data be used to balance visitor management and conservation goals?

(iii) What information is available regarding Federal land users and Federal reservation system users? What information is available or needs to be collected regarding demographics and characteristics of successful and unsuccessful applicants using the Federal reservation systems?

(iv) Do Federal reservation systems pose a barrier for certain communities, including international communities, and user groups to access appropriate recreation opportunities on Federal land? If so, what is the nature of any barriers identified?

(v) What best practices should be considered in Federal reservation system design, including visitation management system options and booking windows, options to respond to the needs specific to individual Federal land management units, and equitable access to recreational activities? What metrics can be used to record outcomes of Federal reservation system design?

(vi) How have fees been collected for Federal reservation systems over time to meet the needs of the applicable Federal agency? How are the revenues from fees for Federal reservation systems split between, and spent by, Federal land units, Federal agencies, and third-party contractors? How is the fee structure disseminated to users? How could dissemination of information with respect to the fee structure be improved?

(vii) What are the odds of success with respect to securing a reservation under Federal reservation systems? How are the odds of success disseminated to users? How could dissemination of information with respect to the odds of success be improved?

(viii) How are data, including data collected by contractors, on Federal reservation systems shared with Federal land managers, researchers, and the public? How can transparency be improved to inform the decisionmaking of users of Federal reservation systems?

(ix) How are Federal reservation systems incorporating and adapting to emerging technologies, such as geofencing, bots, or third-party websites monitoring and reselling reservations? Are Federal reservation systems resilient to cyber threats?

(x) How can Federal reservation systems be improved to reduce “no shows” and ensure that recreation sites are being used during periods of high demand? Would an increase in first-come, first-served opportunities increase equitable access to outdoor recreation on Federal land?

(b) **REPORT.**—The agreement entered into under subsection (a)(1) shall include a requirement that, not later than 18 months after the