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Senate

(Legislative day of Monday, December 16, 2024)

The Senate met at 10 a.m., on the expiration of the recess, and was called to order by the Honorable ALEX PADILLA, a Senator from the State of California.

PRAYER

The PRESIDENT pro tempore. Today's opening prayer will be offered by the wonderful Senator from the State of Oklahoma JAMES LANKFORD.

The guest Chaplain offered the following prayer:

Let us pray.

Wonderful Counselor, mighty God, everlasting Father, Prince of Peace, the One who holds the government on Your shoulders, we are grateful for all the joy in this Christmas season. When we were arrogant, powerless, and without hope, You came.

The first Christmas You set the example of humility. You are the suffering servant who loved us and forgave us when we could bring You nothing. We could never say thank You enough.

A prayer of blessing on the Senators who are retiring from the Senate this week. In the days ahead, help them to hear Your voice and to know Your affection.

I pray for my friend Chaplain Barry Black and his family as they care for him. Give him rest, healing, and fresh insight into Your word and vision in the days ahead.

Father, You told us that when we lack wisdom, we should ask You. We are asking now. As we start this day, we do not know how it will end, but we are fixing our eyes on You, and we are asking for Your help. If You could guide the wise men from the East with a star, You can certainly guide us with Your wisdom and with Your presence.

Today, would You give us the clarity of mind to hear Your thoughts, the humility to listen to each other, and the boldness to do the right thing the right way.

Forgive us as only You can and heal our land as we turn to You.

I pray this in the powerful and present Name of Jesus. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mrs. MURRAY).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,

PRESIDENT PRO TEMPORE,

Washington, DC, December 20, 2024.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable ALEX PADILLA, a Senator from the State of California, to perform the duties of the Chair.

PATTY MURRAY,

President pro tempore.

Mr. PADILLA thereupon assumed the Chair as Acting President pro tempore.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Benjamin J. Cheeks, of California, to be United

States District Judge for the Southern District of California.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

GOVERNMENT FUNDING

Mr. SCHUMER. Mr. President, if Republicans do not work with Democrats in a bipartisan way very soon, the government will shut down at midnight.

It is time to go back to the original agreement we had just a few days ago. It is time the House votes on our bipartisan CR. It is the quickest, simplest, and easiest way we can make sure the government stays open while delivering critical emergency aid to the American people.

If the House put our original agreement on the floor today, it would pass, and we could put the threat of a shutdown behind us. Our agreement would keep the government open, provide emergency aid for communities battered by hurricanes and other natural disasters, support our seniors, support our doctors, nurses, rural hospitals, and protect our farmers from the dairy cliff.

As I said, the only—only—way to get anything done is through bipartisanship.

BUSINESS BEFORE THE SENATE

Mr. President, now on Senate business, as the Senate continues working on government funding, the Senate has other matters to attend to on the floor.

Today, the Senate is scheduled to vote on two more district judges: Ben Cheeks to be the district judge for the Southern District of California and Serena Murillo to be the district judge for the Central District of California.

For the information of my colleagues, our first vote will be at 11 o'clock to advance the Cheeks nomination. If cloture is invoked, the Senate will then vote to confirm Judge Cheeks

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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sometime this afternoon. And after that, we will proceed with a rollcall vote to advance the Murillo nomination. It is my hope that we can finish voting on these two judicial nominees by the end of the day.

SOCIAL SECURITY FAIRNESS ACT

Mr. President, finally, the Senate will keep working on the Social Security Fairness Act. We should pass the bill sent to us by the House as soon as we can. It is very important for our retired teachers and firefighters and postal workers and police officers and so many other public servants who deserve their full Social Security benefits.

I yield the floor.

I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

The Senator from Iowa.

GOVERNMENT FUNDING

Mr. GRASSLEY. Mr. President, I am here to visit with my colleagues about the Social Security bill that is before the Senate, but before I do that, I would like to give my point of view from past shutdowns of the Federal Government and why the shutdown of the Government is a bad idea.

Usually, people approach shutting the Government down because they have some big scheme they want to accomplish, and they will accomplish it during the negotiations to opening up the Government or accomplishing from the threat of shutting down the Government. What I have found in past instances when that has been tried: You shut the government down. You open the government up. And that Member or Members have not accomplished the goal that they wanted to accomplish.

It costs money to shut the Government down. It costs money during this week to get ready to shut the Government down. And after a period of time of a day or, at the most, 35 days, about 6 or 7 years ago, Government opens up, and it costs money to open the Government up.

The Government is supposed to be a service for the American people, and you can't serve the American people when the Government isn't operating. So I hope that something can be accomplished today or tomorrow so the Government stays open.

SOCIAL SECURITY TRUST FUND

Mr. President, now to the Social Security trust fund, that fund is speeding toward insolvency. Come 2033, seniors will automatically see their retirement benefits cut 25 percent, absent congressional action. Congress should be working toward a consensus on legislation to ensure that this never happens. Instead, we are on the cusp of enacting

significant changes to Social Security that will result in larger cuts that would normally happen 2033 but now happen sooner. If the bill before us is enacted, a typical senior would see their benefits cut by an additional \$4,000 and 6 months earlier than that date that is predicted now to be the year 2033. That is quite a stocking stuffer for 50 million seniors that depend on Social Security, some who have no other income, like from pensions, for example.

While the vast majority of seniors stand to receive a lump of coal for Christmas, a select few State and local government employees will be gifted a boost in their benefits. In Iowa, only 1 percent of the retirees would benefit, while everyone else would get less. That doesn't sound fair to me.

Now, don't get me wrong. I have great respect for the government workers in Iowa. This includes the police officers and firefighters to whom we owe our gratitude. Congress should work to address the inequities that the bill before us is trying to solve.

Let's be crystal clear: This bill would increase unfairness in how Social Security benefits are calculated. The Social Security windfall elimination provision—or WEP, as it is called around here—which this bill repeals, addresses a real concern that exists in how the Social Security benefit formula works, or more, how it fails to work when the government employee spends most of their career in non-Social Security covered positions. The Social Security benefit formula is designed to be progressive; that is, it provides a low-income worker a more generous benefit relative to their contributions compared to a middle-class income individual. As a result, absent the windfall elimination provision, senior-level employees who spend most of their career not contributing to Social Security, while also earning a high salary and a government pension, would receive a generous Social Security benefit working as few as 10 years covered by Social Security.

The Social Security formula treats those 10 years as if this was their only income during their working life and therefore provides an unfair bonus. That is simply not fair to the average private sector worker who spends their entire career paying Social Security taxes, earning similar or lower pay than the government workers but receives less Social Security benefit per dollar paid in.

Now, you don't have to take this Senator's word for it. AARP, the premiere voice for senior citizens, says as much in its website, noting that repealing the WEP without replacing it would allow individuals to inaccurately receive a higher Social Security benefit than if they had worked their whole careers in jobs covered by Social Security.

This unfairness doesn't only exist between government workers and private sector workers. Most States have opted

into Social Security for the vast majority of their workers. These States' government employees and retirees covered by Social Security see no benefit under this bill.

In Iowa, only 8 percent of government workers are not covered by Social Security. For some States, it is fewer than 5 percent. But there happens to be a handful of States where 50 percent or more of their workers are exempt from Social Security and thus don't pay Social Security taxes. For instance, in the State of Massachusetts, it is over 97 percent of their government employees.

Can you imagine that? Liberal Massachusetts thinks their government employees are too good for Social Security.

It is these States that will be the big winner under this bill. Effectively, States like Iowa, where the vast majority of government employees are covered by Social Security, are being asked to subsidize the retirement of government workers in Massachusetts, California, Colorado—States that largely choose to opt out of Social Security.

I have put forward a commonsense and fiscally responsible amendment. It would address the inequity that can arise due to how current law addresses noncovered Social Security employment without the unfairness that will arise under the bill before us.

My amendment would pay for the repeal of the windfall elimination provision and the government pension offset, while also making Social Security fair for everyone.

Under my amendment, if State and local employees who are not currently covered by Social Security voluntarily opt in to Social Security, these rules are repealed for current and future retirees of that State's government pension system.

Only current workers under 52 or with at least 10 years until retirement would need to join Social Security. This helps ensure such workers will work long enough to earn Social Security benefits. They would also be able to get the benefit of the more generous Social Security formula.

The underlying bill would raid from the Social Security trust fund \$200 billion. In contrast, my amendment would increase Social Security solvency by \$100 billion if all States took advantage of my proposal. So that is a win-win for everyone.

Now, I know that this bill will probably be debated under no opportunity to offer my amendment or an amendment by Senator CRUZ of Texas that would also be more fiscally responsible than the bill before us and not harm senior citizens by reducing their income from the Social Security trust fund 6 months sooner than otherwise.

I yield the floor.

I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.