

targeted simply because of who they are.

And when Mr. Kennedy spreads false claims like the COVID-19 virus was engineered to spare Jewish Americans and Asians, he uses the trust that he has been given to divide and spread anti-Semitism and anti-Asian hate.

And when Mr. Kennedy, in response to the questions asked of him by Members of this body, refused to acknowledge the importance of taking commonsense steps in our foster care system to protect trans youth, he uses the trust he has been given to divide and spread hate and fear. That is not someone we can trust.

My reasons for opposing Mr. Kennedy's nomination don't just come from the concerns I have for my children; it comes from an understanding I have from my parents.

A little over 50 years ago, my parents came to America from South Korea to start a better life. They did so by working to keep Americans healthy. My father earned his Ph.D. and became a genetic researcher trying to cure cancer and Alzheimer's. My mother worked as a nurse in hospital systems across New Jersey.

They worked hard to earn the trust of people around them, their colleagues, their patients that they had worked on every single day, but also the trust that they had in the people around them for their own health.

My father was a polio survivor; my mother struggled with Lyme disease. They have had their fair share of health struggles. And through them, I have seen a common denominator that our public health system only works when we have people working together with trust and that we the public, in turn, trust them.

But then when I hear Mr. Kennedy say this about Lyme disease. He said:

Another thing that keeps us from enjoying the outdoors and keeps us locked inside and the idea that this may have been, is highly likely to have been a military weapon, and we cannot say 100 percent for sure, but we do know that they were experimenting with ticks there. Now, the American Lyme Disease Foundation wrote:

Some claim that Lyme disease was introduced into the northeastern region of the U.S by a man-made strain that escaped from a high containment biological warfare lab on Plum Island.

They said:

However, there is ample evidence to indicate that both the Ixodes ticks and the bacteria causing Lyme disease were present in the U.S well before the Plum Island facility was ever established."

According to a Washington Post article written by a Professor Sam Telford, "It's an old conspiracy theory enjoying a resurgence with lots of sensational headlines and tweets. Even Congress has ordered that the Pentagon must reveal whether it weaponized ticks. And it's not true."

When it came to the disease of polio that disabled my father since he was a baby, Mr. Kennedy had this to say about the vaccine that nearly eradicated polio from the face of the planet.

He said the vaccine, for a period of time, may have led to cancer due to a contamination with a virus that "killed many many many many more people than polio ever did."

So with the polio vaccine he said: "Did it cause more deaths than it averted? I would say, I don't know."

And he said this just a year and a half ago.

A large study was published that concluded that the polio vaccine under concern was not associated with increased rates of cancer, and other studies showed that the virus of concern was killed by the same process used to inactivate the polio virus.

And in that same podcast, Mr. Kennedy said:

There is no vaccine that is safe and effective.

Again, this was just a year and a half ago. Now he is coming to us and saying: I am all for the polio vaccine.

What are the American people left to believe?

Again, our health and our Nation is founded on trust. That is part of the compact we have as Americans for generations. We want trust for our families.

As I said, I am a father of two little boys. All I want for them is to be healthy and happy. They are the reason that I am here in the U.S. Senate, to take actions to be able to give them the best type of lives, to give other kids and other grandkids the kind of lives they deserve.

And I worry about the foods that they eat, and I support efforts to address ultraprocessed foods in America, to try to make sure we can have Americans eating healthy. But I also want someone who is not going to shoot from the hip and spread disinformation.

Our healthcare is far from perfect, and we do need major reforms to get it in a place where it can better serve the American people. We do need massive changes in the way our healthcare, childcare, elder care, and nutrition systems are run, but not without trust.

We need research—more and more research—to understand safety and to power the innovation that will come up with the cures and the medicines of the future. But, this week, we see efforts to undertake massive cuts at NIH, cuts that would set back the very research we need to keep improving our health.

As I conclude here, these efforts to cut and slash our research at NIH and elsewhere would continue under the leadership of Mr. Kennedy. HHS Secretary is a big job. We can't just hand it to someone we can't trust—not for my kids or for my parents or for yours.

I encourage my colleagues, again: Reject this nomination so that every parent in America can go to sleep having trust in a person tasked with ensuring that our children will be healthy in the morning.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

ORDER OF PROCEDURE

Mr. THUNE. Mr. President, I ask unanimous consent that notwithstanding rule XXII, the postcloture time with respect to the Kennedy nomination expire at 10:30 a.m., Thursday, February 13. I further ask that, following disposition of the Kennedy nomination, the cloture motion with respect to the Rollins nomination be withdrawn and the Senate vote on confirmation of the Rollins nomination with no intervening action or debate; further, that following disposition of the Rollins nomination, the Senate resume consideration of the Lutnick nomination, and the Senate vote on the motion to invoke cloture on the Lutnick nomination at 1:45 p.m.; and if cloture is invoked on the Lutnick nomination, that all time be considered expired, and the Senate vote on the motion to invoke cloture on the Loeffler nomination; and if cloture is invoked on the Loeffler nomination, that all postcloture time be expired, and the Senate vote on confirmation of the Loeffler and Lutnick nominations at a time to be determined by the majority leader in consultation with the Democratic leader no earlier than Tuesday, February 18.

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

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. THUNE. Mr. President, I ask unanimous consent that the Senate proceed to legislative session for a period of morning business for debate only, with Senators permitted to speak therein for up to 10 minutes each.

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

U.S. COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS
RULES OF PROCEDURE

Mr. CASSIDY. Mr. President, the Committee on Health, Education, Labor, and Pensions has adopted rules governing its procedures for the 119th Congress. Pursuant to rule XXVI, paragraph 2, of the Standing Rules of the Senate, I ask unanimous consent that the accompanying rules for the Senate Committee on Health, Education, Labor, and Pensions be printed in the RECORD.

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

SENATE COMMITTEE ON HEALTH, EDUCATION,
LABOR, AND PENSIONS
RULES OF PROCEDURE

Rule 1.—Subject to the provisions of rule XXVI, paragraph 5, of the Standing Rules of the Senate, regular meetings of the committee shall be held on the second and fourth Wednesday of each month, at 10:00 a.m., in room SD-430, Dirksen Senate Office Building. The chair may, upon proper notice, call such additional meetings as the chair deems necessary.

Rule 2.—The chair of the committee or of a subcommittee, or if the chair is not present, the ranking majority member present, shall preside at all meetings. The chair may designate the ranking minority member to preside at hearings of the committee or subcommittee.

Rule 3.—Meetings of the committee or a subcommittee, including meetings to conduct hearings, shall be open to the public except as otherwise specifically provided in subsections (b) and (d) of rule XXVI, paragraph 5, of the Standing Rules of the Senate.

Rule 4.—(a) Subject to paragraph (b), one-third of the membership of the committee, actually present, shall constitute a quorum for the purpose of transacting business. Any quorum of the committee which is composed of less than a majority of the members of the committee shall include at least one member of the majority and one member of the minority.

(b) A majority of the members of a subcommittee, actually present, shall constitute a quorum for the purpose of transacting business; provided, no measure or matter shall be ordered reported unless such majority shall include at least one member of the minority who is a member of the subcommittee. If, at any subcommittee meeting, a measure or matter cannot be ordered reported because of the absence of such a minority member, the measure or matter shall lay over for a day. If the presence of a member of the minority is not then obtained, a majority of the members of the subcommittee, actually present, may order such measure or matter reported.

(c) No measure or matter shall be ordered reported from the committee or a subcommittee unless a majority of the committee or subcommittee is physically present.

Rule 5.—With the approval of the chair of the committee or subcommittee, one member thereof may conduct public hearings other than taking sworn testimony.

Rule 6.—Proxy voting shall be allowed on all measures and matters before the committee or a subcommittee if the absent member has been informed of the matter on which the member is being recorded and has affirmatively requested that the member be so recorded. While proxies may be voted on a motion to report a measure or matter from the committee, such a motion shall also require the concurrence of a majority of the members who are actually present at the time such action is taken.

The committee may poll any matters of committee business as a matter of unanimous consent; provided that every member is polled and every poll consists of the following two questions:

(1) Do you agree or disagree to poll the proposal; and

(2) Do you favor or oppose the proposal.

Rule 7.—There shall be prepared and kept a complete transcript or electronic recording adequate to fully record the proceedings of each committee meeting, subcommittee meeting, or conference, whether or not such meeting or any part thereof is closed pursuant to the specific provisions of subsections (b) and (d) of rule XXVI, paragraph 5, of the Standing Rules of the Senate, unless a majority of said members vote to forgo such a record. Such records shall contain the vote cast by each member of the committee or subcommittee on any question on which a "yea and nay" vote is demanded, and shall be available for inspection by any committee member. The clerk of the committee, or the clerk's designee, shall have the responsibility to make appropriate arrangements to implement this rule.

Rule 8.—The committee and each subcommittee shall undertake, consistent with

the provisions of rule XXVI, paragraph 4, of the Standing Rules of the Senate, to issue public announcement of any hearing or executive session it intends to hold at least one week prior to the commencement of such hearing or executive session. In the case of an executive session, the text of any bill or joint resolution to be considered must be provided to the chair for prompt electronic distribution to the members of the committee.

Rule 9.—The committee or a subcommittee shall require all witnesses heard before it to file written testimony at least 48 hours before a hearing, unless the chair and the ranking minority member determine that there is good cause for failure to so file, and to limit their oral presentation to brief summaries of their arguments. Written testimony may be filed electronically. The presiding officer at any hearing is authorized to limit the time of each witness appearing before the committee or a subcommittee. The committee or a subcommittee shall, as far as practicable, utilize testimony previously taken on bills and measures similar to those before it for consideration.

Rule 10.—Should a subcommittee fail to report back to the full committee on any measure within a reasonable time, the chair may withdraw the measure from such subcommittee and report that fact to the full committee for further disposition.

Rule 11.—No subcommittee may schedule a meeting or hearing at a time designated for a hearing or meeting of the full committee. No more than one subcommittee executive meeting may be held at the same time.

Rule 12.—It shall be the duty of the chair in accordance with section 133(c) of the Legislative Reorganization Act of 1946, as amended, to report or cause to be reported to the Senate, any measure or recommendation approved by the committee and to take or cause to be taken, necessary steps to bring the matter to a vote in the Senate.

Rule 13.—Whenever a meeting of the committee or subcommittee is closed pursuant to the provisions of subsection (b) or (d) of rule XXVI, paragraph 5, of the Standing Rules of the Senate, no person other than members of the committee, members of the staff of the committee, and designated assistants to members of the committee shall be permitted to attend such closed session, except by special dispensation of the committee or subcommittee or the chair thereof.

Rule 14.—The chair of the committee or a subcommittee shall be empowered to adjourn any meeting of the committee or a subcommittee if a quorum is not present within fifteen minutes of the time scheduled for such meeting.

Rule 15.—Whenever a bill or joint resolution shall be before the committee or a subcommittee for final consideration, the clerk shall distribute to each member of the committee or subcommittee a document prepared by the sponsor of the bill or joint resolution. If the bill or joint resolution has no underlying statutory language, the document shall consist of a detailed summary of the purpose and impact of each section. If the bill or joint resolution repeals or amends any statute or part thereof, the document shall consist of a detailed summary of the underlying statute and the proposed changes in each section of the underlying law and either a print of the statute or the part or section thereof to be amended or replaced showing by stricken-through type, the part or parts to be omitted and, in italics, the matter proposed to be added, along with a summary of the proposed changes; or a side-by-side document showing a comparison of current law, the proposed legislative changes, and a detailed description of the proposed changes.

Rule 16.—An appropriate opportunity shall be given the minority to examine the proposed text of committee reports prior to their filing or publication. In the event there are supplemental, minority, or additional views, an appropriate opportunity shall be given the majority to examine the proposed text prior to filing or publication. Unless the chair and ranking minority member agree on a shorter period of time, the minority shall have no fewer than three business days to prepare supplemental, minority, or additional views for inclusion in a committee report from the time the majority makes the proposed text of the committee report available to the minority.

Rule 17.—(a) The committee, or any subcommittee, may issue subpoenas, or hold hearings to take sworn testimony or hear subpoenaed witnesses, only if such investigative activity has been authorized by a majority vote of the committee.

(b) For the purpose of holding a hearing to take sworn testimony or hear subpoenaed witnesses, three members of the committee or subcommittee shall constitute a quorum; provided, with the concurrence of the chair and ranking minority member of the committee or subcommittee, a single member may hear subpoenaed witnesses or take sworn testimony.

(c) The committee may, by a majority vote, delegate the authority to issue subpoenas to the chair of the committee or a subcommittee, or to any member designated by such chair. Prior to the issuance of each subpoena, the ranking minority member of the committee or subcommittee, and any other member so requesting, shall be notified regarding the identity of the person to whom it will be issued and the nature of the information sought and its relationship to the authorized investigative activity, except where the chair of the committee or subcommittee, in consultation with the ranking minority member, determines that such notice would unduly impede the investigation. All information obtained pursuant to such investigative activity shall be made available as promptly as possible to each member of the committee requesting the information, or to any assistant to a member of the committee designated by such member in writing, but the use of any such information is subject to restrictions imposed by the rules of the Senate. Such information, to the extent that it is relevant to the investigation shall, if requested by a member, be summarized in writing as soon as practicable. Upon the request of any member, the chair of the committee or subcommittee shall call an executive session to discuss such investigative activity or the issuance of any subpoena in connection therewith.

(d) Any witness summoned to testify at a hearing, or any witness giving sworn testimony, may be accompanied by counsel of the witness's own choosing who shall be permitted, while the Page 3 of 6 witness is testifying, to advise the witness of any legal rights.

(e) No confidential testimony taken or confidential material presented in an executive hearing, or any report of the proceedings of such an executive hearing, shall be made public, either in whole or in part or by way of summary, unless authorized by a majority of the members of the committee or subcommittee.

Rule 18.—Presidential nominees shall submit a statement of the nominee's background and financial interests, including the financial interests of the nominee's spouse and children living in the household, on a form approved by the committee which shall be sworn to as to its completeness and accuracy. The committee form shall be in two parts—

(I) information relating to employment, education, and background of the nominee relating to the position to which the individual is nominated, and which is to be made public; and

(II) information relating to financial and other background of the nominee, to be made public when the committee determines that such information bears directly on the nominee's qualifications to hold the position to which the individual is nominated.

Information relating to background and financial interests (parts I and II) shall not be required of nominees for less than full-time appointments to councils, commissions, or boards when the committee determines that some or all of the information is not relevant to the nature of the position. Information relating to other background and financial interests (part II) shall not be required of any nominee when the committee determines that it is not relevant to the nature of the position.

Committee action on a nomination, including hearings or meetings to consider a motion to recommend confirmation, shall not be initiated until at least five days after the nominee submits the form required by this rule unless the chair, with the concurrence of the ranking minority member, waives this waiting period.

Rule 19.—Subject to statutory requirements imposed on the committee with respect to procedure, the rules of the committee may be changed, modified, amended, or suspended at any time; provided, not less than a majority of the entire membership so determine at a regular meeting with due notice, or at a meeting specifically called for that purpose.

Rule 20.—When the ratio of members on the committee is even, the term "majority" as used in the committee's rules and guidelines shall refer to the party of the chair for purposes of party identification. Numerical requirements for quorums, votes, and the like shall be unaffected.

Rule 21.—First degree amendments must be filed with the chair at least 24 hours before an executive session. The chair shall promptly distribute all filed amendments electronically to the members of the committee. The chair may modify the filing requirements to meet special circumstances with the concurrence of the ranking minority member.

Rule 22.—In addition to the foregoing, the proceedings of the committee shall be governed by the Standing Rules of the Senate and the provisions of the Legislative Reorganization Act of 1946, as amended.

GUIDELINES OF THE SENATE COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS WITH RESPECT TO HEARINGS, MARKUP SESSIONS, AND RELATED MATTERS

Hearings

Section 133 A(a) of the Legislative Reorganization Act requires each committee of the Senate to publicly announce the date, place, and subject matter of any hearing at least one week prior to the commencement of such hearing.

The spirit of this requirement is to assure adequate notice to the public and other members of the Senate as to the time and subject matter of proposed hearings. In the spirit of section 133 A(a) and in order to assure that members of the committee are themselves fully informed and involved in the development of hearings:

1. Public notice of the date, place, and subject matter of each committee or subcommittee hearing should be inserted in the Congressional Record seven days prior to the commencement of such hearing.

2. At least seven days prior to public notice of each committee or subcommittee hearing,

the majority should provide notice to the minority of the time, place, and specific subject matter of such hearing.

3. At least three days prior to the date of such hearing, the committee or subcommittee should provide to each member a list of witnesses who have been or are proposed to be invited to appear.

4. The committee and its subcommittee should, to the maximum feasible extent, enforce the provisions of rule 9 of the committee rules as it relates to the submission of written testimony of witnesses 48 hours in advance of a hearing. Witnesses will be urged to submit written testimony even earlier whenever possible. When written testimony is received in advance of a hearing, the committee or subcommittee (as appropriate) should distribute copies of such testimony to each of its members. Witness testimony may be submitted and distributed electronically.

Executive Sessions for the Purpose of Marking Up Bills

In order to expedite the process of marking up bills and to assist each member of the committee so that there may be full and fair consideration of each bill which the committee or a subcommittee is marking up the following procedures should be followed:

1. Seven days prior to the proposed date for an executive session for the purpose of marking up bills the committee or subcommittee (as appropriate) should provide written notice to each of its members as to the time, place, and specific subject matter of such session, including an agenda listing each bill or other matters to be considered, and:

(a) a copy of each bill, joint resolution, or other legislative matter (or committee print thereof) to be considered at such executive session; and

(b) a copy of a summary of the provisions of each bill, joint resolution, or other legislative matter to be considered at such executive session including, whenever possible, an explanation of changes to existing law proposed to be made.

2. Insofar as practical, prior to the scheduled date for an executive session for the purpose of marking up bills, the committee or a subcommittee (as appropriate) should provide each member with a copy of the printed record or a summary of any hearings conducted by the committee or a subcommittee with respect to each bill, joint resolution, or other legislative matter to be considered at such executive session.

U.S. SENATE COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP RULES OF PROCEDURE

Ms. ERNST. Mr. President, the U.S. Senate Committee on Small Business and Entrepreneurship today adopted rules governing its procedures for the 119th Congress. Pursuant to rule XXVI, paragraph 2, of the Standing Rules of the Senate, I ask unanimous consent that the accompanying rules adopted by the U.S. Senate Committee on Small Business and Entrepreneurship be printed in the RECORD.

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

SENATE COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP COMMITTEE RULES—119TH CONGRESS

JURISDICTION

Per Rule XXV(1) of the Standing Rules of the Senate:

(1) Committee on Small Business and Entrepreneurship to which committee shall be

referred all proposed legislation, messages, petitions, memorials, and other matters relating to the Small Business Administration;

(2) Any proposed legislation reported by such committee which relates to matters other than the functions of the Small Business Administration shall, at the request of the chairman of any standing committee having jurisdiction over the subject matter extraneous to the functions of the Small Business Administration, be considered and reported by such standing committee prior to its consideration by the Senate; and likewise measures reported by other committees directly relating to the Small Business Administration shall, at the request of the Chair of the Committee on Small Business and Entrepreneurship, be referred to the Committee on Small Business and Entrepreneurship for its consideration of any portion of the measure dealing with the Small Business Administration and be reported by this committee prior to its consideration by the Senate.

(3) Such committee shall also study and survey by means of research and investigation all problems of American small business enterprises, and report thereon from time to time.

RULES OF PROCEDURE

General

All applicable provisions of the Standing Rules of the Senate, the Senate Resolutions, and the Legislative Reorganization Acts of 1946 and of 1970 (as amended), shall govern the Committee.

Meetings

(a) The regular meeting day of the Committee shall be the first Wednesday of each month unless otherwise directed by the Chair. All other meetings may be called by the Chair as he or she deems necessary, on 5 business days notice where practicable. If at least three Members of the Committee desire the Chair to call a special meeting, they may file in the office of the Committee a written request therefore, addressed to the Chair. Immediately thereafter, the Clerk of the Committee shall notify the Chair of such request. If, within 3 calendar days after the filing of such request, the Chair fails to call the requested special meeting, which is to be held within 7 calendar days after the filing of such request, a majority of the Committee Members may file in the Office of the Committee their written notice that a special Committee meeting will be held, specifying the date, hour and place thereof, and the Committee shall meet at that time and place. Immediately upon the filing of such notice, the Clerk of the Committee shall notify all Committee Members that such special meeting will be held and inform them of its date, hour and place. If the Chair is not present at any regular, additional or special meeting, such member of the Committee as the Chair shall designate shall preside. For any meeting or hearing of the Committee, the Ranking Member may delegate to any Minority Member the authority to serve as Ranking Member, and that Minority Member shall be afforded all the rights and responsibilities of the Ranking Member for the duration of that meeting or hearing. Notice of any designation shall be provided to the Chief Clerk as early as practicable.

(b) It shall not be in order for the Committee to consider any amendment in the first degree proposed to any measure under consideration by the Committee unless an electronic copy of such amendment has been delivered to the Clerk of the Committee at least 2 business days prior to the meeting. Following receipt of all amendments, the Clerk shall disseminate the amendments to all Members of the Committee. This subsection may be waived by agreement of the