



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 117<sup>th</sup> CONGRESS, FIRST SESSION

Vol. 167

WASHINGTON, WEDNESDAY, MAY 19, 2021

No. 87

## Senate

The Senate met at 10:30 a.m. and was called to order by the Honorable BEN RAY LUJÁN, a Senator from the State of New Mexico.

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Precious Lord, we praise You because You provide us with a lifetime of blessings. You are the foundation of all that is good in our lives, keeping us from neglecting Your plans for our future, as You prepare us to stand in Your presence without a single fault.

Lord, prosper the work of our Senators. Make their efforts as secure as the mountains. Inspire them to strive less for success and more for faithfulness. Guide them to hate evil, pride, arrogance, and corruption. Remind them that their future is in Your hands.

We pray in Your loving Name. 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 (Mr. LEAHY).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, May 19, 2021.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BEN RAY LUJÁN, a Senator from the State of New Mexico, to perform the duties of the Chair.

PATRICK J. LEAHY,  
President pro tempore.

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

### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

### CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

PROVIDING FOR CONGRESSIONAL DISAPPROVAL UNDER CHAPTER 8 OF TITLE 5, UNITED STATES CODE, OF THE RULE SUBMITTED BY THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION RELATING TO "UPDATE OF COMMISSION'S CONCILIATION PROCEDURES"—Resumed

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S.J. Res. 13, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (S.J. Res. 13) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Equal Employment Opportunity Commission relating to "Update of Commission's Conciliation Procedures".

### RECOGNITION OF THE MAJORITY LEADER

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

### JANUARY 6 COMMISSION

Mr. SCHUMER. Mr. President, so the Spanish philosopher, Jorge Santayana, is credited with the saying, "Those who cannot remember the past are condemned to repeat it."

When it comes to January 6, we would all do well to heed that advice. But right now, there is an effort on the part of the House Republican leader-

ship to make sure we forget that that fateful day ever happened.

Later today, the House will vote on establishing an independent Commission to investigate the events of January 6, a complement to the investigation in the House and Senate committees. Both sides negotiated for months. The House Republican leader made three specific requests in February. All three were granted by House Democrats. Modeled after the bipartisan 9/11 Commission, it will have equal representation from both Democrats and Republicans. Subpoenas can only be issued if Members from both sides agree.

It appeared we had reached a consensus with the support of rank-and-file Republicans and, frankly, I thought the Speaker was being very generous because subpoena power is so important when you look into something, but she did that. I salute her for it. But even when she went that far, at the eleventh hour, the House Republican leadership turned tail, threw its own negotiators under the bus, and decided to try to sabotage the Commission. Once again, they are caving to Donald Trump and proving that the Republican Party is still drunk off the Big Lie.

Just one week after House Republicans fired Congresswoman CHENEY for simply telling the truth about the election, their new leadership is trying to kill a bipartisan investigation—a very down-the-middle bipartisan investigation—of the attack on our Capitol.

At the root of both efforts is the shameful desire to protect Donald Trump and perpetuate the Big Lie, even though it undermines our democracy, because when people don't believe elections are on the level, that is the beginning of the end of a democracy.

What the Republicans are doing—the House Republicans—is beyond crazy. To be so far under the thumb of Donald J. Trump, letting the most dishonest President in American history dictate

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



Printed on recycled paper.

S2745

the prerogatives of the Republican Party, will be its demise. Mark my words. Whatever that means for Democrats, it is bad for America.

We all know there needs to be a thorough and honest accounting of what took place on January 6, the greatest attempt at insurrection since the Civil War. We have to make sure such a despicable event never repeats itself. That is why we need the investigation.

Getting at the truth is more important now that some Republicans are trying to rewrite history. It is just incredible what they are doing. How dishonest can they be, in abject fear of the most dishonest President who has ever sat at the White House, Donald Trump, who will tell lies at will? He doesn't care. It is only his own ego. We know that. One Member said it was a "boldfaced lie" to call it an insurrection and likened the mob to a "normal tourist visit." Give me a break.

Several Members have spread the lie that it was actually Antifa that stormed the Capitol and so have some commentators on one of our leading news networks—shamefully, shamefully.

One Republican went so far as to say the mob, not the police, were the real victims of the violence that day. Can you imagine being in the family of one of the police officers who died or was injured? It is bad enough, but hearing that? How far will they go in obeisance to the lying President Donald Trump? How far?

These are dangerous lies rooted fundamentally in the Big Lie that has seemingly enveloped the Republican Party. Shame on them. Shame on the Republicans for choosing the Big Lie over the truth—not all Republicans, but the majority who seem to be doing it. Shame. Shame on them for defending the mob over our Capitol Police officers. And shame on the House Republican leadership for punishing Republicans who tell the truth, instead of those who poison faith in our democracy.

Here in the Senate, we will have a vote on the January 6 Commission. The only way to stop these lies is to respond with the truth, with facts, with an honest, objective investigation of what happened that day.

An independent Commission can be the antidote to the poisonous mistruths that continue to spread about January 6. That is what our Founding Fathers believed in. They believed in a fact-based nation, and they believed the facts will come out. People will have different views when they see those facts and assemble those facts, but they believe in the truth.

I can't think of a time when a political party has been so abjectly far away from the truth than the perpetuation of the Big Lie.

So again, the Senate will vote on the January 6 Commission. It ought to gain bipartisan support. There are reports—sad, unfortunate reports—that the Republican leader here in the Sen-

ate might be following his House colleagues down the rabbit hole and will oppose the Commission. I hope that isn't true.

But the American people will see for themselves whether our Republican friends stand on the side of truth or on the side of Donald Trump's Big Lie.

#### VOTING RIGHTS

Mr. President, on voting rights, the Texas State Senate recently passed a bill that repeals all requirements for carrying a handgun, including a valid license, registering fingerprints, and 4 hours of training. Texas would be the sixth State to pass a permitless carry law, with Louisiana waiting in the wings. If both Texas and Louisiana pass these laws, fully a third of Americans would live in States where it was legal to carry firearms without training or a license.

Just one week after the Texas legislature advanced that law to make it as easy as possible to carry a handgun, it advanced another law to make it harder to vote. You need stringent identification to vote and no identification to carry a handgun. What the heck is going on in Texas?

Just think about that for a moment. Across the country, Republican legislatures are removing all barriers to carry firearms, while at the same time putting up barriers around voting. The political right wants to make it easier for felons to get a gun but harder for younger, poorer, and non-White Americans to vote. It is hard to think of a more reactionary vision for our country, a more backward-looking vision, a vision that eventually will be repudiated not only in the history books but in our Nation's politics.

Sadly, as voter suppression laws sweep through Republican State houses from Florida, Montana, and everywhere in between, the political right is actually bragging about how successfully they are restricting the franchise.

Last week, a spokesperson for Heritage Action, the lobbying arm of the far-right think tank, told a group of Republican donors that Heritage Action was drafting new voter restrictions and literally handing them over to State legislatures in order to give the laws "that grassroots feel." She went on to crow about how "quickly and quietly" her organization managed to get new limits on voting passed in Iowa. She told the donors that she looked at her team of rightwing lobbyists and said: "It can't be that easy."

That is how the far right is talking about making it harder for Americans to vote. Behind closed doors, with well-heeled donors, they are laughing about how easy it is to limit American voting rights, and that is because Republican legislatures, from one end of the country to the other, are eagerly and willfully going along. It is despicable.

In this country, in a democracy, when your side loses an election, you try to win more voters over. You don't try to stop the other side from voting.

But seizing on that Big Lie that the election was stolen, Republican legisla-

tures are orchestrating the greatest contraction of voting rights since the end of reconstruction and the beginning of Jim Crow.

These laws cannot go unanswered. Senate Democrats are moving forward with legislation, S. 1, to combat this rash of voter suppression laws. It has gone through the Rules Committee, and it will receive a vote here on the Senate floor.

Our Republican colleagues need to decide if they are going to stand up for democracy or not.

#### CLEAN CARS FOR AMERICA

Mr. President, on one final matter, clean cars, yesterday, at an event in Michigan, President Biden declared that the future of the auto industry is electric. He is absolutely right.

But even though the transition to electric vehicles has already begun, it is progressing too slowly. China is outpacing the United States in the electrical vehicle market, and the only way we are going to meet our ambitious climate targets is to accelerate the transition to zero-emission vehicles.

That is why I was so glad to hear President Biden get into the specifics and talk about the many ways that government, industry, and labor can partner up to put more electric vehicles on the road and create more jobs in the process.

At the heart of that effort is legislation called Clean Cars for America. It is a proposal I drafted and introduced several years ago, and now it has become a central component to the American Jobs Plan and President Biden's Build Back Better agenda.

Through a mixture of point-of-sale incentives for consumers, charging infrastructure investments, and support for American manufacturing of electric vehicles, it would make electric vehicles affordable for all Americans and create thousands and thousands and thousands of good-paying union jobs in automaking, construction, and battery manufacturing.

We need a large-scale effort to achieve an electric vehicle future. Clean Cars for America is the way to get there.

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. MCCONNELL. 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.

#### RECOGNITION OF THE MINORITY LEADER

The Republican leader is recognized.

#### ISRAEL

Mr. MCCONNELL. Mr. President, 2 years ago, I spoke to a gathering of friends of Israel. At the time, I was working to advance pro-Israel legislation to combat the BDS movement.

This was a far-left effort to create worldwide anti-Israel boycotts. I was struck, at the time, by the opposition to the bill from the far left, and I said the Democrats had to stand up to the growing chorus of anti-Israel voices in their own ranks or we would all come to regret it.

Well, fast-forward to today. Our friends in Israel are now in their second week of a difficult counterterrorism campaign. They are responding to unprovoked rocket attacks raining down on their people. Predictably, the radical fringe has leapt to excuse the acts of terror and, of course, blame Israel, as usual. But, now, disproportionate pressure is not only being placed on Israel by far-left activists. Now, sitting Members of Congress are actually joining in. One Democratic House Member has lately called Israel an “apartheid state.” Another said it is guilty of “terrorist acts.”

For a long time, Republicans and Democrats have stood together in standing with Israel. I am proud of all of the work we have accomplished together, like improving Israel’s Iron Dome defenses, providing precision-guided munitions and Joint Strike Fighters, and collaborating on counter-tunneling technology to thwart terrorists. These bipartisan efforts have paid dividends for Israel and for the United States.

As recently as 2014, during the last major conflict between Israel and Hamas, most Democrats stood unhesitatingly with Republicans to unequivocally condemn Hamas and support Israel. But, now, rather than having Israel’s back, senior Democrats have actually pressured Israel to end its defensive operations. They have called for a ceasefire and urged leaders to strive for peace through a negotiated two-state solution—as if Israeli Prime Ministers from across the political spectrum haven’t made good faith efforts in the past toward peace.

Of course, in this case, Israel is not fighting the Palestinian Authority. They are not up against the Palestinian Authority. They are not at war with the Palestinian people. They are fighting Hamas. Everybody around here surely knows by now that Hamas is a terrorist group that opposes a two-state solution. They want Israel destroyed. That is who this fight is between—Israel and Hamas—not the Palestinian Authority, not the Palestinian people. It is between Israel and Hamas, Israel versus terrorists.

So let’s dispense with this “both sides” nonsense. Only one side has taken credible steps toward peace, and even when rocketed by terrorists, Israel takes extraordinary pains to avoid harming civilians. This includes giving advance warning to Palestinian civilians in the places they are about to strike. It calls them up in advance and says: Get out of there. We are about to strike.

Frankly, Israel is taking more care to protect Palestinian civilians than is

Hamas, which intentionally hides behind innocent people in violation of the laws of war and then exploits their deaths to advance the cause. Hamas doesn’t represent Palestinians any more than it represents the rest of the region’s Arabs, which is to say, not at all.

For decades, administrations mistakenly assumed the road to Middle East peace led through agreement between Israel and the Palestinians and that nothing else could be addressed until this was resolved. In reality, the previous administration facilitated the Abraham Accords—a historic step that helped Israel normalize relationships with majority-Muslim countries like the United Arab Emirates, Bahrain, and Sudan. Morocco normalized its relationship as well. This progress toward peace, based on shared geopolitical and economic interests, came in spite of intransigence from leaders in Gaza.

Now the Biden administration wants to deny this historic progress. A few days ago, the President’s spokeswoman argued incredibly that with respect to the prior administration, “We don’t think they did anything constructive”—really?—regarding “the longstanding conflict in the Middle East.” Really? The recognition between Israel and four Arab countries is not progress? Give me a break.

Now, as Israel battles terrorists, the Democratic chairman of the House Foreign Affairs Committee indicated this week that he might try to obstruct the supply of precision technologies that helps Israel avoid civilian casualties. How does that make sense? And remember that Chairman MEEKS only chairs the Foreign Affairs Committee because the far-left primaried the previous chairman—a staunch Democratic supporter of Israel—right out of his seat in Congress. You can see where the far left is trending. This effort to block arms sales is basically the same play that some Democrats ran with Saudi Arabia and the Iran-backed Houthis in Yemen. Let’s just think about that. Fortunately, the latest reports suggest the chairman may be backing down from this. I certainly hope so.

Yet the White House still can’t give a straight answer on whether and when we will help Israel replenish the Iron Dome system that protects its citizens. Leading Democrats are even talking about easing sanctions on the Iranian regime, which helps fund terrorist proxies like Hamas and keeps their rocket arsenals full. They come from Iran—and the administration still proposes to cut our own U.S. defense funding after inflation.

So, listen. Israel’s enemies are watching—make no mistake—not just Hamas but Hezbollah and Iran’s Islamic Revolutionary Guard Corps. We cannot send the signal that terrorist attacks on American allies will be met with mealy-mouthed attempts to blame both sides.

#### ABORTION

Now, Mr. President, on a completely different matter, when President Biden nominated Xavier Becerra to run the Department of Health and Human Services, it was clear what the Nation was getting—a hardened culture warrior with no health or medical expertise. Where Secretary Becerra did have experience was in trying to impose a far-left social agenda.

He fought and fought in Federal court to make religious nonprofits pay for things that violated their consciences until he finally got creamed in the Supreme Court by a ruling that was 7 to 2. Before that, he had fought and fought to force crisis pregnancy centers to advertise abortion, trying to coerce a certain kind of leftwing speech out of private groups. The Supreme Court slapped him down then as well. That was the resume Secretary Becerra brought to his current position.

Last week, in a hearing before the House Energy and Commerce Committee, the Secretary either forgot about Federal law on abortion or revealed that he just didn’t care what was on the books. When a Member of Congress used the common term “partial-birth abortion,” the Secretary coyly suggested he didn’t know what that meant. He tried to get the Congressman to use the more clinical verbiage that helps the far-left conceal this grotesque subject. Then, when pressed, Secretary Becerra claimed “there is no law that deals specifically with the term ‘partial-birth abortion.’”

Well, the Secretary may wish that were the case, but it isn’t. That is completely false.

U.S. Code, title 18, section 1531 is the Federal ban on partial-birth abortions. It uses the exact term seven times. It defines the banned practice in all of its barbaric detail. Back in 2003, I was proud to join with almost two-thirds of the Senate when we passed this mainstream law. Our Federal ban on this awful procedure remains widely popular with the American people. It is the bare, bare minimum. Yet President Biden’s HHS Secretary is either ignorant of the Federal law or wants to pretend that it actually doesn’t exist.

Remember, the far left has kept America one of just seven countries—seven—in the world that allows elective abortions on demand after 20 weeks. Countries across Europe, like France, Spain, Germany, Norway, and Denmark, all limit elective abortion to before 20 weeks. The far left wants America to be an outlier on the global fringe, and President Biden’s HHS Secretary either doesn’t know or won’t admit that the phrase “partial-birth abortion” even appears in Federal law. A misstatement like that is embarrassing enough, but the radicalism that lies behind it is even worse.

#### PROTESTS

Mr. President, on one final matter, after careful consideration, I have

made the decision to oppose the House Democrats' slanted and unbalanced proposal for another commission to study the events of January 6.

As everybody surely knows, I repeatedly made my views about the events of January 6 very clear. I spoke clearly and left no doubt about my conclusions. Federal law enforcement has made at least 445 arrests and counting relating to crimes committed that day. Hundreds of those people have been charged. Law enforcement investigations are ongoing, and Federal authorities say they expect to arrest at least 100 or so more. Bipartisan investigations are also underway and have been for months at the committee level here in the Senate.

There is, has been, and there will continue to be no shortage of robust investigations by two separate branches of the Federal Government. So it is not at all clear what new facts or additional investigation yet another Commission could actually lay on top of existing efforts by law enforcement and Congress.

The facts have come out, and they will continue to come out. What is clear is that the House Democrats have handled this proposal in partisan bad faith, going right back to the beginning, from initially offering a laughably partisan starting point to continuing to insist on various other features under the hood that are designed to centralize control over the Commission's process and its conclusions in Democratic hands.

I have been an outspoken critic about all of the episodes of political violence that our Nation has seen over the past year. I support the strong existing investigations and justice for any American—any American—who has broken the law.

The ACTING PRESIDENT pro tempore. The Republican whip.

#### AMERICAN FAMILIES PLAN

Mr. THUNE. Mr. President, a couple of weeks ago, President Biden unveiled his so-called American Families Plan, which one might summarize as free stuff—free preschool, free community college, lots of government subsidies. It sounds great, but the problem, of course, is that none of that is really free. The government may not send individuals a bill for any of those items, but that doesn't mean they don't have to be paid for by someone. So President Biden proposed a raft of tax hikes to at least partially pay for his proposals—a hike in the capital gains tax, an additional new death tax to add to the one we already have, and a hike in the top income tax rate.

Now, President Biden is selling these tax increases as tax hikes on wealthy Americans, whom Democrats view as a bottomless source of funding for new government programs, but there are two problems with that.

In the first place, there is no question that some middle-class Americans will be hit by President Biden's new death tax. While he provides an exemp-

tion for gains of \$1 million or less, the truth is that it is possible to die with an estate whose value has increased by more than \$1 million over the course of your life, while never breaking out of the middle class. We are not talking about individuals with a yearly income of \$1 million; we are talking about the lifetime gains on assets an individual has at his or her death.

Then, of course, there is a good bet that many of those individuals' heirs—the ones whose inheritance will be diminished by this tax—are thoroughly middle class. Your parents might die with an estate that has gained \$1 million-plus in value, but you yourself might be earning just \$40,000 or \$50,000 a year.

All this is especially true in the case of family farms and businesses. Farming is a cash-poor business. Farmers might have land that has appreciated over decades by substantially more than \$1 million even though the farmers themselves may at times struggle even to break even. Levying President Biden's new tax at death could permanently destroy a family farm or business.

Now, President Biden has suggested that he will carve out an exemption for family farms and businesses if the next generation commits to running them, but it remains to be seen what that exception looks like and whether it truly protects family farms. He has not pledged to carve out an exception for middle-class Americans whose inheritance will be hit by this new tax.

Then there is the fact that President Biden's new income tax hike will also hit small businesses, many of whose owners pour a substantial part of their profits back into the business instead of raking in a large salary.

But even leaving all that aside and supposing that President Biden's new taxes will be levied only on wealthy Americans, there is still a problem. Sure, if you are in the middle class, the government might not be sending you a tax bill, but that doesn't mean you won't be negatively affected by these taxes.

You see, Democrats operate under the entirely false assumption that you can tax higher earners without consequences, that you can tax investments without consequences, and that you can tax businesses without consequences. In Democrats' world, you can heavily tax something, but no one will behave any differently. No one will reduce his or her investments. No business will flee high tax rates by moving overseas. No business will pass on higher tax bills to consumers in the form of higher prices at a time when inflation is already on the rise.

But, of course, in the real world, people do respond to tax hikes. Businesses raise prices on their products, they limit wage growth to their workers, and they create fewer jobs. In fact, studies suggest that 50 to 70 percent or more of the burden of corporate tax hikes is borne by workers in the form

of lower wages and fewer job opportunities.

Corporations also move overseas. Before Republicans lowered the corporate tax rate to make American businesses more competitive in the global economy, a significant number of American companies were moving their headquarters overseas.

Small businesses hit with big tax hikes cut jobs or limit their creation of new ones. They raise prices. They decide not to expand.

Investors hit with major tax hikes decide not to invest as much. Since investment fuels jobs and innovation, both of those suffer as a result.

In every one of these cases, ordinary Americans are affected—not just the rich; not just millionaires; ordinary, middle-class Americans. After all, most Americans, if they are not self-employed or working for government, are employed by businesses. If the business they work for isn't doing well, their prospects are going to be significantly affected. If businesses hold down wages to deal with the impact of tax hikes, for example, ordinary Americans' long-term earning potential will be diminished. These effects may not sound as concrete as being handed a tax bill, but they have just as real of an impact on Americans' income and Americans' lives.

Democrats talk a lot about making the rich pay their fair share. We hear it constantly. From the way Democrats talk, you would think that rich people rarely pay any taxes. That is not even close to being the case.

The fact is that our tax system is highly—highly—progressive, the most progressive in the world, and the tax relief Republicans passed 3 years ago actually made it even more progressive.

In 2013, individuals making over \$1 million paid twice as much per dollar in taxes—I should say in 2018, individuals making over \$1 million paid twice as much per dollar in taxes as individuals making between \$75,000 and \$100,000 or more than 10 times—10 times as much per dollar as individuals making between \$20,000 and \$30,000.

It would be interesting to know what exactly Democrats consider to be a fair share. When financially successful Americans are paying half of their income in taxes, is that when it is fair? Seventy-five percent of their income? Ninety-five percent of their income? And when they are paying that much, what happens then? Well, I have already indicated what happens. Investment declines, wages stagnate, prices go up, job creation goes down, and ordinary Americans start feeling the consequences. But, unfortunately, Democrats are so used to viewing the wealthy as an inexhaustible source of money that they refuse to admit that hiking taxes on wealthier Americans will have consequences.

It even goes further than that. It is not just that Democrats view wealthier Americans as an inexhaustible source

of money; it is that Democrats are well on their way to a kind of Marxist-style class warfare that demonizes success.

Nowhere is that more evident than in the fact that Democrats are proposing a capital gains tax hike on the wealthy that will fail to maximize government revenue. That is right. Democrats could actually get more revenue to pay for their social programs if they raised the capital gains tax less. Democrats are proposing a capital gains increase so substantial that it will actually return less government revenue—thanks to the resulting decrease in investment—than a lower rate hike would return.

At the level of tax hike Democrats have proposed, the tax hike becomes less about raising government revenue and more about punishing more prosperous Americans for being successful, which is a pretty un-American way of looking at things. Democrats like to portray the wealthy as a bunch of billionaires sitting on inherited piles of money and not doing a day's work. But the truth is that a lot of prosperous people in this country are, A, not billionaires, and B, only wealthy because they worked hard, saved, and made prudent financial decisions and took advantage of the opportunities they were given.

Focusing on punishing successful Americans for being successful instead of focusing on how we can create opportunity and remove obstacles to success for everyone else is counterproductive because it has a negative effect on our economy. It fosters an atmosphere of envy instead of possibility, hostility instead of determination. Rather than focusing on how we can lift everybody up, the focus becomes on how we can drag part of society down.

Rather than counterproductively hiking taxes to punish the successful or pay for an ever-increasing array of government programs, we should be focusing on creating an economy that gives every single American the chance for success and that reduces the need for government programs by increasing economic opportunity for all Americans. Unfortunately for the American people, Democrats' tax hikes will have the opposite effect.

I yield the floor.

The ACTING PRESIDENT pro tempore. The majority whip.

JANUARY 6 COMMISSION

Mr. DURBIN. Mr. President, it has been my good fortune to serve in the U.S. Senate for several terms and in the House before. I can remember this Chamber from my first visit when I sat in that Gallery as a college student and watched the proceedings of the U.S. Senate, and I can remember so many historic days that I have been blessed to have a front-row seat to observe great memories. But in addition to those great memories, there is one sad memory—no, it was more than sadness; one memory that brings sadness and anger—and it is related to January 6 of this year.

I remember that day so well. The Vice President of the United States, Michael Pence, was presiding over the U.S. Senate. We were counting the electoral votes to determine the official outcome of the previous election. The President of the United States, Donald Trump, was holding a rally near the White House, not far from Capitol Hill. The demonstrators who came to his rally then marched on this Capitol, and what transpired after that was historic and shameful.

I remember the moment when the Vice President of the United States was spirited off that platform, yanked by his arms out that door. Clearly his security detail felt that his life was in danger, and they removed him.

I remember a member of the Capitol Police coming, standing on the podium in front of the Senate, and saying that we should remain in our seats, that this was going to be a safe place, this room, the Senate Chamber. Then they started bringing in the staff, who were gathered around the Chamber, to stand along the walls because of the safety of this circumstance. So we knew there was something happening in the Capitol.

Minutes later, just minutes later, that same Capitol policeman announced: "Evacuate this room as fast as you can. As quickly as you can, move off this scene and go to another place."

I never thought that I would see that in the U.S. Capitol Building, nor in the Chamber of the U.S. Senate, but it was a reality.

As we quickly moved out through the exits, all the Senators and staff, I remember looking out the window and seeing hundreds of people descending on the Capitol. That was the snapshot in my mind as we quickly escaped the danger in the U.S. Capitol Building.

We know at the end of the day that at least five people lost their lives. We know that 140 law enforcement were assaulted by this mob who tried to take control of the Capitol during the electoral college count. Of course, there is ample historic evidence of what happened—videotapes galore, videotapes from every angle, information gathered.

That is why I was skeptical when they suggested creating a Commission to chronicle what happened on January 6. We saw it. We lived it. America watched it, many times on live television. The videotapes have been played over and over and over again to dramatize what was happening as people were spraying so-called bear spray in the faces of law enforcement, beating them with poles, crashing through the windows of the Capitol and breaking down the doors to come inside.

We know what happened after we evacuated this Chamber. The mob took over. Oh, they had their glory as they were taking pictures of one another going through our desks here, acting like this was a holiday and that they were somehow patriots in that shameful moment.

I questioned whether we needed a Commission to establish this. It is there. But then last week, there was a vivid reminder that, despite reality and despite the evidence, there are people who want to rewrite history. Let me note one in particular.

Congressman ANDREW CLYDE, Republican of Georgia, at a House Oversight Committee hearing on the January 6 riot, said that the House floor was not breached, that supporters of former President Donald Trump who stormed the Capitol behaved "in an orderly fashion." Congressman CLYDE went on to say that if you looked at the videotapes, you could see that "there was an undisciplined mob. There were some rioters, and some who committed acts of vandalism."

Then he went on to say:

Watching the TV footage of those who entered the Capitol, and walk through Statuary Hall showed people in an orderly fashion staying between the stanchions and ropes taking videos and pictures, you know.

That is what the Congressman said. He said:

If you didn't know that TV footage was a video from January the sixth, you would actually think it was a normal tourist visit.

End of quote from Congressman CLYDE.

This is a quote from Congressman PAUL GOSAR, Republican from Arizona. The law enforcement officials in the Capitol were "harassing peaceful patriots."

So far, more than 440 people have been charged by our government with participating in this attack, 440 of Congressman CLYDE's orderly tourists. Many have ties to rightwing extremist groups, the FBI said. They recounted that five people died in the events that led up to the attack. It is outrageous.

We know President Trump and his followers have been pursuing the Big Lie when it comes to the results of the election. The President has finally embarrassed even some Republican followers with his extreme statements in that regard. But now his loyalists are turning on the facts and the videotapes and the reality of January 6.

This has to come to an end. The truth has to prevail. This Commission, which I understand Senator MCCONNELL has now said he opposes, is absolutely necessary—a bipartisan Commission to establish once and for all what did occur, as if we have to, but we do. Otherwise, Congressman CLYDE, Congressman GOSAR, and others will set out to rewrite history and blame other forces for being at work that day.

I join Senator SCHUMER in calling for the creation of this Commission and demanding a vote on the floor of the U.S. Senate for its creation so that we can establish once and for all what did occur on January 6 and must never happen again.

ENDLESS FRONTIER ACT

Mr. President, years ago, I traveled to Israel with then-minority leader Senator Harry Reid. We met with Shimon Peres, and something happened that I have never forgotten.

Senator Reid asked: "What do you see as the greatest threat in the world to the United States?" That was just a couple of years after 9/11 when that question was posed. I thought Peres might cite terrorism or loose nukes. Instead, he said without hesitation: "China. Don't you see that?"

Economically, strategically, diplomatically, China was already focused like a laser on advancing its position as the world's most powerful nation, and that was 16 years ago.

Five days ago, China launched a spacecraft safely and landed it on Mars, becoming only the second nation in history, after the United States, to land on the Red Planet.

In 1957, at the height of the Cold War, the Soviet Union became the first nation to launch an Earth-orbiting satellite into space. That launch shocked the world and caught us off guard. Our response was an unprecedented commitment to reclaim America's dominance in the world as a leader in scientific and technological discovery and innovation. The effort became known as America's Sputnik moment. Twelve years later, America put a man on the Moon.

You might say that now, instead of a Sputnik moment, America is going through a Zhurong moment. That is the name of the Chinese Mars rover, Zhurong.

Let me be clear. While China is our fastest growing competitor, the United States has lost some ground globally as many nations recognize the importance of R&D investments to their industrial innovation and competitiveness. In 1960, just 3 years after Sputnik launched, the United States accounted for approximately 69 percent of the world's R&D funding. By 2018, 58 years later, this percentage had dropped from 69 percent to 28 percent. Others were joining in the pursuit of technology and innovation at a record clip.

The question is, Can we come together, as Americans did in the last century, to make investments in science, technology, and competitiveness to guarantee that America's economy remains the world's largest and most innovative?

Some Members of Congress and the Senate—and we have heard their speeches on the floor—say: Go slow. No hurry. Well, I think they are committed to a solid second-place finish for the United States of America, and I don't want to be a part of it.

The Endless Frontier Act, which we are going to consider, gives us a reason for hope. It is broad-based. It is bipartisan. It shows leadership by Majority Leader CHUCK SCHUMER; Senator TODD YOUNG, Republican of Indiana; along with Commerce Committee Chair MARIA CANTWELL of Washington and Ranking Member ROGER WICKER of Mississippi.

Like America's response to Sputnik, the new era of scientific and technological discovery will be driven by seed money from the Federal Government,

but this effort is not limited to government spending. America is home to the world's best research colleges and universities and laboratories, like the Argonne National Lab in my State of Illinois. They are part of this effort too. We will harness the combined efforts of America's best scientific and technological minds in the public sector and the private sector.

The Endless Frontier Act and broader competitiveness package represent the largest investment in U.S. science and technology since the Apollo era. It will authorize more than \$100 billion over 5 years to support breakthrough scientific discovery and technological innovation in 10 key areas vital to building an innovation economy for the 21st century and creating good jobs in the process. These key areas include fields such as advanced energy, semiconductors, artificial intelligence, biotechnology and genomics, quantum computing, robotics, materials science, disaster prevention, and, of course, cyber security.

If you need a reminder of why it is urgent that we improve U.S. cyber security, look at how the ransomware attack last week by Russian cyber criminals on a major American oil pipeline caused long gas lines and panic buying throughout the eastern half of our country.

Investing strategically in these 10 key innovation areas will enable the United States to protect America's position as a leader in the global economy and protect our national security. It will reinvigorate and expand our industrial and manufacturing base, and it will create a stronger middle class in our country.

The Endless Frontier Act will also strengthen the security of essential supply chains and our ability to solve disruptions caused by crises. Remember those fearless doctors and nurses working in COVID-19 wards last year, when they had to dress in garbage bags because of a nationwide shortage of PPE? A nation as wealthy and powerful as ours should never be caught so dangerously unprepared. This bill will make sure that we aren't.

Here is another cautionary tale about supply-line disruption. In Belvidere, IL, which is in the northern part of our State, workers at the Stellantis plant are proud of their work assembling Jeep Cherokees.

In late March, that plant was forced to shut down because of a global shortage of microchips. The plant is scheduled to reopen as soon as the end of this month. But late last week, the company announced that the plant will be forced to shut down one of its two production lines in late July, again because of microchip shortages. As many as 1,600 employees could be laid off.

You can't build a prosperous economy and stable middle class if you can't secure your supply lines. We know that American workers can build cars and trucks for the future because they are already doing it, and they are

going to be launching it in many places around our Nation. Just this week, President Biden visited an electric vehicle assembly plant in Michigan. And they are doing it today as well in Normal, IL, where a company called Rivian—remember the name: R-I-V-I-A-N, Rivian—repurposed and expanded a former Mitsubishi assembly plant to produce the company's first assembly plant for electric cars and trucks. Is this going to work? Will it actually have a demand for electric vehicles?

Remember this one too. Amazon has already ordered 100,000 delivery vans from this plant. By the end of the year, Rivian expects to employ 2,500 people at the Normal assembly plant, 2,500 workers in good-paying, middle-class jobs in America. The Endless Frontier Act and President Biden's American Jobs Plan provides the leadership and resources to make sure that America remains the world leader in the 21st century.

On another critical issue, let me say that we need to get serious when it comes to combating intellectual property theft and counterfeiting. The previous administration's policies were haphazard. We can do better. The Endless Frontier Act will impose tough sanctions on entities that violate U.S. intellectual property and trade protections.

I am working with Senator CASSIDY, a Republican from Louisiana, and others on a bipartisan bill that provides additional safeguards to combat the sale of counterfeit goods, especially on the internet.

As I said, the Endless Frontier Act and competitiveness package will invest more than \$100 billion over 5 years to support breakthrough technologies. Now, \$100 billion is a big investment, but it is dramatically less than what China is now spending in the same areas. And it is far less when adjusted for inflation than what we spent on the race for space.

If we contributed the same share of our GDP to science and technology today as we did in the early 1960s—1 percent of our overall economy—we would have to spend \$900 billion, not \$100 billion, in this effort.

My support for the Endless Frontier Act builds on my commitment to securing steady, predictable funding increases for so many research Agencies of the Federal Government but especially for NIH. They provided the life-saving vaccines that allow us to take off our masks and resume our lives.

Monday, I went out to NIH with several of my colleagues. Senator BLUNT led a group from the Appropriations Committee. We met with NIH Director Francis Collins, Dr. Anthony Fauci, and scientists who are working on breakthrough discoveries.

It was 6 years ago that Senator ROY BLUNT, Republican from Missouri, and I made an informal pact. We worked together to increase the NIH budget by 5 percent a year over and above inflation. With the help of Senator PATTY

MURRAY and LAMAR ALEXANDER, we increased the NIH budget more than 40 percent.

Because of those modest investments and the genius of NIH-funded researchers, we have a real chance of developing better treatments and cures for terrible diseases, including cancers, sickle cell, and Alzheimer's.

The race for the future isn't an either-or deal—either we invest in science or breakthrough technologies. We have to invest in both. I will continue to work with Senators from both parties to preserve steady, predictable funding increases for research.

No one bill will safeguard our national security or resolve all of our outstanding issues with China. We still have a lot of work to do, both in Congress and diplomatically. We still have to strengthen our immigration system so that America continues to welcome immigrants who want to put their genius to work for the good of America, as Nikola Tesla and Albert Einstein did in the last century, as did Katalin Kariko, the Hungarian-born Nobel laureate whose NIH-funded research paved the way for today's COVID vaccines.

Strengthening America's role as a global leader in science and technology is an essential piece of our effort to preserving our leadership in the world. For that reason, I support the Endless Frontier Act, and I urge my colleagues to do the same.

The ACTING PRESIDENT pro tempore. The Senator from Wyoming.

ISRAEL

Mr. BARRASSO. Mr. President, on the way over to the floor, I received a CNN news alert, and the headline is: "Biden dramatically scales up the pressure on Netanyahu."

So I come to the floor to tell you and to tell the Nation that I stand with Israel. Like millions of Americans, I have been disturbed to see the Biden administration make a false equivalence between Israel and the terrorist group Hamas. There is no equivalence here.

Hamas is a terrorist group funded by Iran. These terrorists have fired over 3,000 missiles into population centers in Israel. Israel has every right to defend itself. If Hamas stopped fighting, there would be peace. If Israel stopped fighting, there would be no peace. Hamas would continue to attack Israel.

President Biden's readout of his call this morning with Prime Minister Netanyahu stated:

The president conveyed to the prime minister that he expected a significant de-escalation today on the path to a ceasefire.

President Biden doesn't get to tell Israel what to do. We all want peace. We all want a cease-fire. A cease-fire happens when Hamas stops its terrorist campaign. Until then, Israel has every right to the proportional response it is making right now. Israel has every right to take out the terrorist leaders that are directing the attacks on its citizens.

#### ECONOMIC RECOVERY

Mr. President, I would like to move now to a separate topic, and the one for which I originally came to the floor, and I came to the floor to talk about our economy.

In April, the unemployment rate went up. Surprisingly, it went up. It was supposed to go down. It went up, and so are prices all around the country. The experts in the White House actually thought that we were going to add 1 million new workers in America last month. In reality, only about 266,000 Americans went back to work. So the so-called experts at the White House were wrong, and they were wrong by three-quarters of a million workers.

Now, 40,000 of those people who went back to work went to government jobs, which means the cost of government continues to grow. The private sector was able to only hire 220,000 people rather than 1 million. It was the most disappointing jobs report in over 20 years.

There has also been a slowdown in the middle of a recovery, which is surprising to many. You know, before Joe Biden took office, we saw a fantastic economic recovery, and it was the fastest one in American history. We were bouncing back from the coronavirus shutdown. It is a very different story now. It is no coincidence that this is a direct result of President Biden's policies.

And the policies—the Democrats all voted for this, and the Republicans all voted against it. The Democrats and President Biden, party-line vote, voted to extend a bonus payment for workers to stay home, paying people more to stay at home than they could make at work, in many cases. People aren't lazy. They are logical, and it is a perfectly logical thing to do; that they took up the President on his offer to stay home when they were paid more to stay home than they could make at work.

So, as a result, job openings right now are at an alltime high. Businesses can't find workers. Everywhere I go in Wyoming, I see "Help Wanted" signs. The president of Delta Airlines reported they canceled 100 flights last month because they couldn't find enough people to work. They had people ready to fly. They didn't have people who were ready to work.

People want to work. People want to hire others. The incentives coming from government are absolutely wrong. Joe Biden and Big Government are getting in the way of people returning to work.

There is another big problem I heard about. I heard about it this past weekend in Wyoming. The business owners I heard can't find workers because of incentives coming out of this administration—"Help Wanted" signs up—and from other people asking me: Why are prices going up? Why is inflation back?

You know, under the Obama-Biden administration, we saw the same thing.

It is called the middle-class squeeze, where prices are going up faster than wages are going up. April was the worst month for inflation since the great recession 13 years ago.

In effect, inflation means that the money in your wallet buys less. So, in a sense, you have a pay cut. Inflation is a regressive tax. It means the poorer you are, the more it hurts and the fewer things you can buy for the money you have. The big donors in the Democratic league, they are going to be just fine. They won't even notice rising prices. They don't notice when gas prices go up. The Silicon Valley hotshots and the masters of the universe in Manhattan, they are going to be just fine.

It is families—working families in Wyoming and New Mexico and across the country who are struggling to get by. They are the ones who are going to get hurt the most. Just look at the cost of a trip to the grocery store. First, you have to go to the grocery store, and to you get there, you have to drive. Well, the price of gasoline is going up. Across the Nation now, the price of a gallon of gasoline is over \$3 a gallon. A year ago, it was about \$2 a gallon.

Since Joe Biden took office, it has gone up nearly 70 cents a gallon. That hits people when they fill up because they have to drive getting back to work. In Wyoming and New Mexico, people drive long distances, and we use more gas than most. So people in our States are paying more than many other places.

And I don't think it is a coincidence that the price of gas has gone up. Joe Biden's first action in office was to draw a target on the back of American energy and pull the trigger. He shut down the Keystone XL Pipeline. He banned new oil and gas leases on Federal lands. He has restricted the production of American energy. We need energy. We need it now.

Gas prices affect the price of everything else. It costs more and more to transport things across the country, and that is why we are seeing prices go up at the grocery store. Working families are getting squeezed. And this is a direct result of the policies of the Biden administration.

One reason this is happening is because President Biden is flooding the country with so-called easy money. We are finding out it is not too easy. In the month of March, President Biden signed into law a \$2 trillion slush fund for basically liberal spending. It was described as a coronavirus relief package but, in fact, when you take a look at it, less than 9 percent of the money, a very small percentage of the money, actually went for medical care.

He crammed it through Congress—party-line vote, absolutely no Republican support—put the bill on the Nation's credit card, and the Federal Reserve started to print more money. Now, money doesn't grow on trees, doesn't come from a printer, and you

cannot print your way to prosperity. The money has to come from somewhere.

History shows that this is a strategy that eventually backfires. Nations try to print free money, and they end up poorer than ever. Get-rich schemes don't work, never have, and they aren't going to this time either. Inflation is going up every single month since the election.

Now, the White House experts tell us not to worry. These are the same experts that predicted there would be 1 million new jobs and people working last month and that the unemployment rate would drop. But much of the \$2 trillion that President Biden signed into law hasn't even gone out the door yet, and the President is asking for trillions and trillions more.

The House of Representatives, the other night, put out a proposal related to the infrastructure bill, one that I am trying to work with the administration on. They are requesting \$7.1 trillion, an astonishingly high amount of money. If the President gets his way and we keep spending like this at the request from the House, inflation is only beginning.

You don't have to take my word for it. Listen to the liberal economist Larry Summers. He was in the Clinton administration as well as the Obama administration. He was Clinton's Secretary of the Treasury and played an economic role in the Obama administration.

He warned against President Biden's spending spree. He called that \$2 trillion slush fund the least responsible spending bill he has seen in four decades—the least responsible spending bill in four decades. That is before all this additional spending may be coming.

Well, this is what he said after April's inflation numbers came out. He said:

I was . . . worried . . . about inflation . . . [yet] it's . . . moved much faster, much sooner than [even] I . . . predicted.

That is Larry Summers—Clinton administration and Obama administration—commenting on the Biden policies.

People who save money their whole lives for retirement are now watching their hard-earned savings go down with a stroke of Joe Biden's pen. Their buying ability is shrinking. People who did the right thing, who worked hard, and saved their money are now being punished by Biden policies.

Under President Biden, we are seeing more government, more taxes, more spending, and, as a result, the American people are suffering. They are seeing flat wages, higher prices, and disappointing job creation. We see gas lines. We see people hoarding gasoline. It sounds like it was in the 1970s. And President Biden should remember those times because he was still a Member of the Senate back then.

Mr. President, I ask unanimous consent to continue and finish my remarks with an additional 60 seconds.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

Mr. BARRASSO. Thank you, Mr. President.

President Biden should remember that by 1980, the American people had had enough. We changed course. We thought it was enough of Jimmy Carter, and we elected Ronald Reagan President.

It is time to change course again. Let's create more American energy. Let's set down the taxpayer's credit card. Put it away. Cut up the credit card. Stop the reckless spending.

American families have been paying the price. The people in the middle are being squeezed. The American people expect and deserve better.

Thank you.

I yield the floor.

VOTE ON S.J. RES. 13

The ACTING PRESIDENT pro tempore. All time has expired.

The clerk will read the title of the joint resolution for the third time.

The joint resolution was ordered to be engrossed for a third reading and was read the third time.

The ACTING PRESIDENT pro tempore. The resolution having been read the third time, the question is, Shall the joint resolution pass?

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

The ACTING PRESIDENT pro tempore. 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. THUNE. The following Senators are necessarily absent: the Senator from Alaska (Ms. MURKOWSKI) and the Senator from Florida (Mr. RUBIO).

The result was announced—yeas 50, nays 48, as follows:

[Rollcall Vote No. 195 Leg.]

YEAS—50

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

NAYS—48

Barrasso	Ernst	McConnell
Blackburn	Fischer	Moran
Blunt	Graham	Paul
Boozman	Grassley	Portman
Braun	Hagerty	Risch
Burr	Hawley	Romney
Capito	Hoeven	Rounds
Cassidy	Hyde-Smith	Sasse
Collins	Inhofe	Scott (FL)
Cornyn	Johnson	Scott (SC)
Cotton	Kennedy	Shelby
Cramer	Lankford	Sullivan
Crapo	Lee	
Cruz	Lummis	
Daines	Marshall	

Thune	Toomey	Wicker
Tillis	Tuberville	Young

NOT VOTING—2

Murkowski

Rubio

The resolution (S.J. Res. 13) was passed as follows:

S.J. RES. 13

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That Congress disapproves the rule submitted by the Equal Employment Opportunity Commission relating to "Update of Commission's Conciliation Procedures" (86 Fed. Reg. 2974; published January 14, 2021), and such rule shall have no force or effect.

(Mr. HICKENLOOPER assumed the Chair.)

ENDLESS FRONTIER ACT—Resumed

Thereupon, the Senate resumed consideration of the bill (S. 1260) to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes. Pending:

Schumer amendment No. 1502, in the nature of a substitute.

The PRESIDING OFFICER (Mr. BOOKER). The Senator from Washington.

AMENDMENT NO. 1527

Ms. CANTWELL. Mr. President, I call up amendment No. 1527.

The PRESIDING OFFICER. The clerk will report the amendment.

The senior assistant legislative clerk read as follows:

The Senator from Washington [Ms. CANTWELL] proposes an amendment numbered 1527 to amendment No. 1502.

The amendment is as follows:

AMENDMENT NO. 1527

(Purpose: To improve the bill)

On page 304, line 18, strike "3" and insert "4".

Ms. CANTWELL. Mr. President, we come to the floor today after a lot of hard work by the Commerce Committee to pass out the Endless Frontier bill last week—24 to 4. I know my colleagues from the committee will be out here to speak on this important legislation, as will the majority leader, Senator SCHUMER, who authored this important legislation, and our colleague from Indiana, Senator YOUNG. We thank them for kick-starting what is a very important national discussion about how much we should be investing in research and development or what I would say is American ingenuity or, to put it a little more simply, I just say American know-how, because we are a nation of people who know how to innovate, who know how to use science to transform our economy, and we have done it over and over and over again.

I don't know. Maybe it came with, in getting in a boat and coming all the