

their States, who are facing higher infection rates and, sadly, dramatically higher death rates because of it. It is time for them to accept the reality that vaccines are safe and effective and that they work.

These States have reported almost twice as many coronavirus infections as the rest of the country and, tragically, nearly three times as many deaths. Lawmakers in these States have chosen a political course rather than one that makes common sense or cares for the well-being of their people.

Our Nation's healthcare professionals are exhausted. You would be, too, if you had to battle the virus every day for 18 months. Now they are threatened with another deadly public health crisis: COVID disinformation from politicians. Doctors and nurses and healthcare workers are being threatened by the virus, and the patients, sadly, who carry it or those who don't believe COVID even exists.

What makes this all the more troubling is that some of the biggest peddlers of disinformation about vaccines have taken steps to protect themselves from the coronavirus.

Allow me to give you exhibit A.

Nearly every night, Tucker Carlson appears on FOX News and distributes bogus information to hundreds of thousands of households across America. Tucker Carlson is the biggest anti-vax quack in America.

But while Tucker is quick to question the science behind masks and vaccines, what he won't tell you is that, every day, he has to comply with a vaccine policy at FOX News. That is right. FOX News requires every one of its employees to disclose their vaccination status. According to ABC News, more than 90 percent of FOX Network's employees have been vaccinated. The remaining 10 percent are required to get tested every single day.

Sound familiar, the FOX policy? It is the same thing Joe Biden has asked for nationwide that many Republicans come to the floor and scream about every day and then turn on FOX News for their information.

So, while there is little ideological overlap between the heads of FOX News and the officials in the Biden administration, they both recognize one undeniable truth: Vaccine mandates are the key to ending this pandemic.

I thank President Biden for showing the world that Chicago is leading the way in putting the pandemic behind us. If we want to save lives, jump-start the economy, get kids back in school, all I can say is three words: Follow the science; stop villainizing public health officials; and start encouraging every American to do their part in, finally, ending this pandemic.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BOOKER). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

Mr. SCHUMER. Mr. President, what is the pending business?

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

LEGISLATIVE SESSION

PROMOTING PHYSICAL ACTIVITY FOR AMERICANS ACT—Resumed

The PRESIDING OFFICER. The clerk will report the pending business. The legislative clerk read as follows:

A House message to accompany S. 1301, an act to provide for the publication by the Secretary of Health and Human Services of physical activity recommendations for Americans.

Pending:

Schumer motion to concur in the amendment of the House to the bill.

Schumer motion to concur in the amendment of the House to the bill, with Schumer amendment No. 3835, to change the enactment date.

Schumer amendment No. 3836 (to amendment No. 3835), of a perfecting nature.

Schumer motion to refer the bill to the Committee on Finance, with instructions, Schumer amendment No. 3837, to change the enactment date.

Schumer amendment No. 3838 (to (the instructions) amendment No. 3837), of a perfecting nature.

Schumer amendment No. 3839 (to amendment No. 3838), of a perfecting nature.

CLOTURE MOTION WITHDRAWN

Mr. SCHUMER. Mr. President, I ask unanimous consent to withdraw the cloture motion with respect to the motion to concur.

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

MOTION TO TABLE

Mr. SCHUMER. Mr. President, I move to table the motion to refer.

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

The question is on agreeing to the motion.

The motion was agreed to.

MOTION TO TABLE

Mr. SCHUMER. Mr. President, I move to table the motion to concur with an amendment.

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

The motion was agreed to.

MOTION TO CONCUR WITH AMENDMENT NO. 3847

Mr. SCHUMER. Mr. President, I move to concur in the House amendment to S. 1301, with an amendment.

The PRESIDING OFFICER. The clerk will report the amendment.

The senior assistant legislative clerk read as follows:

A Senator from New York [Mr. SCHUMER] moves to concur in the House amendment to S. 1301 with an amendment numbered 3847.

The amendment is as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

SECTION 1. INCREASE OF PUBLIC DEBT LIMIT.

The limitation under section 3101(b) of title 31, United States Code, as most recently increased by section 301 of the Bipartisan Budget Act of 2019 (31 U.S.C. 3101 note), is increased by \$480,000,000,000.

CLOTURE MOTION

Mr. SCHUMER. Mr. President, I send to the desk a cloture motion on the motion to concur with an amendment.

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

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to concur in the House amendment to S. 1301, an act to provide for the publication by the Secretary of Health and Human Services of physical activity recommendations for Americans, with amendment No. 3847.

Charles E. Schumer, Ron Wyden, Jack Reed, Richard J. Durbin, Richard Blumenthal, Tina Smith, Amy Klobuchar, Jacky Rosen, Christopher Murphy, Chris Van Hollen, Jeanne Shaheen, Mazie Hirono, Tim Kaine, Debbie Stabenow, Angus S. King, Jr., Robert P. Casey, Jr., Jeff Merkley.

CLOTURE MOTION

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

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

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

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to concur in the House amendment to S. 1301, an act to provide for the publication by the Secretary of Health and Human Services of physical activity recommendations for Americans.

Charles E. Schumer, Angus S. King, Jr., Gary C. Peters, Tammy Baldwin, Christopher A. Coons, Chris Van Hollen, Elizabeth Warren, Patrick J. Leahy, Michael F. Bennet, Richard J. Durbin, Brian Schatz, Benjamin L. Cardin, Sheldon Whitehouse, Debbie Stabenow, Tim Kaine, Martin Heinrich, Jacky Rosen.

Mr. SCHUMER. Mr. President, I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays are ordered.

AMENDMENT NO. 3848 TO AMENDMENT NO. 3847

Mr. SCHUMER. Mr. President, I have an amendment at the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The senior assistant legislative clerk read as follows:

The Senator from New York [Mr. SCHUMER] proposes an amendment numbered 3848 to amendment No. 3847.

The amendment is as follows:

(Purpose: To change the effective date)

At the appropriate place, insert the following:

SEC. 2. EFFECTIVE DATE.

This Act shall take effect 2 days after the date of enactment of this Act.

MOTION TO REFER WITH AMENDMENT NO. 3849

Mr. SCHUMER. Mr. President, I move to refer the House message to accompany S. 1301 to the Committee on Finance with instructions to report back forthwith with an amendment.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

The Senator from New York [Mr. SCHUMER] moves to refer to the Committee on Finance with instructions to report back forthwith with an amendment numbered 3849.

The amendment is as follows:

(Purpose: To change the effective date)

At the appropriate place, insert the following:

SEC. 2. EFFECTIVE DATE.

This Act shall take effect 3 days after the date of enactment of this Act.

Mr. SCHUMER. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays are ordered.

AMENDMENT NO. 3850 TO THE INSTRUCTIONS

Mr. SCHUMER. Mr. President, I have an amendment to the instructions at the desk.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from New York [Mr. SCHUMER] proposes an amendment numbered 3850 to the instructions on the motion to refer S. 1301.

The amendment is as follows:

(Purpose: To modify the effective date)

On page 1, line 3, strike "3 days" and insert "4 days".

Mr. SCHUMER. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays are ordered.

AMENDMENT NO. 3851 TO AMENDMENT NO. 3850

Mr. SCHUMER. Mr. President, I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from New York [Mr. SCHUMER] proposes an amendment numbered 3851 to amendment No. 3850.

The amendment is as follows:

(Purpose: To modify the effective date)

On page 1, lines 1 and 2, strike "4 days" and insert "1 day".

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I move to proceed to executive session to consider calendar No. 259.

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

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Gustavo A. Gelpi, of Puerto Rico, to be United States Circuit Judge for the First Circuit.

CLOTURE MOTION

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

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

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 259, Gustavo A. Gelpi, of Puerto Rico, to be United States Circuit Judge for the First Circuit.

Charles E. Schumer, Sheldon Whitehouse, Christopher Murphy, Gary C. Peters, Michael F. Bennet, Robert P. Casey, Jr., Benjamin L. Cardin, Patty Murray, Catherine Cortez Masto, Tammy Duckworth, Patrick J. Leahy, Robert Menendez, Bernard Sanders, Mark R. Warner, Tina Smith, Richard J. Durbin, Ben Ray Lujan.

Mr. SCHUMER. Finally, Mr. President, I ask unanimous consent that the mandatory quorum calls for the cloture motions filed today, October 7, be waived.

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

MOTION TO DISCHARGE

Mr. SCHUMER. Pursuant to S. Res. 27, the Health, Education, Labor, and Pensions Committee being tied on the question of reporting, I move to discharge the Senate Health, Education, Labor, and Pensions Committee from further consideration of the nomination of Catherine Elizabeth Lhamon, of California, to be Assistant Secretary for Civil Rights, Department of Education.

The PRESIDING OFFICER. Under the provisions of S. Res. 27, there will now be up to 4 hours of debate on the

motion equally divided between the two leaders or their designees, with no motions, points of order, or amendments in order.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays are ordered.

Mr. SCHUMER. Thank you, Mr. President.

I ask unanimous consent that the time during the quorum call be equally divided.

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

Mr. SCHUMER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

INFRASTRUCTURE BILL

Mr. BARRASSO. Mr. President, I come to the floor today to oppose, of course, the Democrats' reckless tax-and-spending bill. I have been coming to the floor to talk about this—the wasted taxes, the spending, all of the sorts of things the Democrats are trying to do.

You know, right now, the Democrats are pushing a Big Government, socialist agenda. There can be no question about it. They want additional, permanent welfare programs. They want to—to me, this bankrupts current programs, like Medicare. It takes—it is very hard to think about this amount of spending without realizing the risk that it proves for Social Security. And, of course, the Democrats are proposing this big green new disaster.

For all this spending, what do they want to do?

Well, they want to raise taxes by trillions and trillions of dollars. But it is still not enough to pay for all of the spending that they want to do.

That is why Democrats are now working and pushing this backdoor tax increase. Democrats want to supersize the least accountable and most powerful Agency of the Federal Government. And that, of course, is the Internal Revenue Service.

Now, what we know about this Agency, the IRS, is that they have, time and time again, proven they can't be even trusted to properly secure data, when we look at the leaks that come out of the IRS.

But they are looking for more data and more information, private information, private business by American taxpayers.

Democrats are asking, in this \$3.5 trillion bill, \$80 billion of additional funding for the Internal Revenue Service. They want to give the IRS enough money and power to hire a full new army of bureaucrats.