

economy is the virus. It is the virus that has killed hundreds of thousands of people and shuttered businesses. It is not the safety standard that will keep workers safe and businesses open.

In fact, this type of safety standard is also supported by businesses across the country. Many businesses have already implemented policies like the standard Republicans are trying to overturn. And you know what has happened time after time?

United Airlines, 99 percent of its 67,000-person workforce has complied overwhelmingly by getting vaccinated. Tyson Foods went from having less than half of its 120,000 workers vaccinated to now over 96 percent. MGM Resorts has 98 percent of its workers vaccinated. Walmart says an overwhelming majority of employees have gotten vaccinated. A Connecticut manufacturer with 250 workers recently announced 100-percent vaccination rate. And that list goes on and on.

In one place after another, we are seeing over 90 percent of workers comply with this requirement—some through testing, and the overwhelming majority through vaccination.

The big picture here is that this rule, which Republicans keep attacking, is saving lives. OSHA estimates it will help protect 84 million workers and prevent thousands of deaths and over 250,000 hospitalizations from COVID-19, and yet here we are—Republicans pushing to scrap it entirely, undermining the progress, and putting America lives and livelihoods in danger.

This pandemic has done a lot of damage. It wrecked our economy. It shut down our schools and our businesses. It forced people to postpone weddings and graduations and funerals. It devastated our Nation's mental health. It killed over three-quarters of a million people.

It is not over. We have come a long way. This pandemic sent unemployment as high as 14.8 percent. Today, it is back down to 4.2 percent—the lowest it has been since the start of the pandemic.

Schools have reopened and brought students safely back to classrooms. Businesses are hiring. People are getting vaccinated, getting back to work, getting back to plans that have been put off by this pandemic, and getting back to seeing their friends and families. But they do not want to go backwards. The American people do not want to go backwards. And that is exactly where the Republicans' misinformation on commonsense policies like this will take us: backwards.

We know the path forward to finally end this involves getting everyone vaccinated. We should all be working towards that goal, not against it. Families are counting on us to lead our Nation through this crisis, not back into it.

After all we have lost and all the hard work we have done to rebuild, we must not throw our economy and our communities and Americans' lives into jeopardy by sabotaging our pandemic

response. When you are fighting a fire, you don't stop in the middle of it and turn off the water. That is exactly what this resolution will do.

It takes away one of the most important tools we have given OSHA to protect workers, in the middle of a pandemic when we need it most, and jeopardize all of the hard work Americans have done to get us out of this.

So I am here tonight to urge my colleagues to vote no—no to more lost lives, no to a longer pandemic, and to join me in defending a commonsense tool that will help put this incredibly difficult chapter of American life behind us.

I yield floor.

#### VOTE ON SMITH NOMINATION

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise to the Smith nomination?

Mrs. MURRAY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Maryland (Mr. VAN HOLLEN) is necessarily absent.

The result was announced—yeas 58, nays 41, as follows:

#### [Rollcall Vote No. 488 Ex.]

##### YEAS—58

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

##### NAYS—41

Barrasso	Hawley	Risch
Blackburn	Hoeven	Rounds
Boozman	Hyde-Smith	Rubio
Braun	Inhofe	Sasse
Cornyn	Johnson	Scott (FL)
Cotton	Kennedy	Scott (SC)
Cramer	Lankford	Shelby
Crapo	Lee	Sullivan
Cruz	Lummis	Thune
Daines	Marshall	Tillis
Ernst	McConnell	Toomey
Fischer	Moran	Tuberville
Grassley	Paul	Young
Hagerty	Portman	

#### NOT VOTING—1

Van Hollen

The nomination was confirmed.

The PRESIDING OFFICER (Mr. KELLY). Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will immediately be notified of the Senate's action.

#### LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now resume legislative session.

PROVIDING FOR CONGRESSIONAL DISAPPROVAL UNDER CHAPTER 8 OF TITLE 5, UNITED STATES CODE, OF THE RULE SUBMITTED BY THE DEPARTMENT OF LABOR RELATING TO "COVID-19 VACCINATION AND TESTING; EMERGENCY TEMPORARY STANDARD"

The PRESIDING OFFICER. All time on S.J. Res. 29 has expired.

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

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

The PRESIDING OFFICER. The joint resolution having been read the third time, the question is, Shall the joint resolution pass?

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

The result was announced—yeas 52, nays 48, as follows:

#### [Rollcall Vote No. 489 Leg.]

##### YEAS—52

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

##### NAYS—48

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

The joint resolution (S.J. Res. 29) was passed as follows:

#### S.J. RES. 29

*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 Department of Labor relating to "COVID-19 Vaccination and Testing; Emergency Temporary Standard" (86 Fed. Reg. 61402 (November 5, 2021)), and such rule shall have no force or effect.*

The PRESIDING OFFICER (Ms. BALDWIN). The senior Senator from Kansas.

### MORNING BUSINESS

Mr. MORAN. Madam President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

### TRIBUTE TO MAJOR GRACE MILLER

Mr. MORAN. Madam President, I am here tonight to take a moment to recognize the contributions of a member of my staff, Air Force Maj. Grace Miller, who has spent the last year working in my personal office as part of the U.S. Air Force Congressional Fellowship Program.

Before Grace departs my office at the start of the new year, I express my appreciation to Major Miller for all of her tremendously beneficial and hard work and her dedication to the service of our Nation.

Grace's 15 years of service in the U.S. Air Force developed her leadership capabilities and demonstrate her commitment to serving others. These attributes have made her an invaluable asset to our team as we work to serve Kansans, servicemembers, and veterans.

Before joining my office, Grace's assignments took her around the world in service to our country. Grace earned her commission from the University of St. Thomas in St. Paul, MN. As an aircraft maintenance officer, Grace has served in Operation Iraqi Freedom, Operation Enduring Freedom, and Operation Inherent Resolve, taking her across the Middle East.

Major Miller's commitment to service also extends to teaching. She taught English at the U.S. Air Force Academy, earning her the academic rank of assistant professor and serving as executive officer to the dean of the faculty.

Grace joined our team in January of this year. She, since then, has fully embraced Kansas, its people, and the challenges they face day in and day out. Grace's personal interactions with Kansans and Kansas veterans, in particular, have helped drive meaningful policy in a time when our past and present servicemembers have needed it the most.

She has spearheaded the Senate passage of the "Six Triple Eight" Congressional Gold Medal Act of 2021, which recognizes the 6888th Central Postal Directory Battalion—the only all-African-American, all-female battalion to be deployed overseas during World War II. The 6888, as this battalion has come to be known, sorted millions of pieces of backlogged mail so troops serving on the frontlines could hear from their families and loved ones from home.

Their efforts boosted morale and directly contributed to our servicemembers' fighting spirit, particularly toward the end of the war.

Grace has been a tireless advocate for these women, and I commend her dedication. The bill currently awaits passage in the House.

Furthermore, throughout the chaotic and disastrous withdrawal from Afghanistan, Grace was an indispensable resource for veterans and Afghan refugees. She continues to assist innocent Afghans seeking refuge from the Taliban's tyrannical hold on the country.

I want to highlight her efforts in this regard. She was tireless and was here morning, noon, and night—always with the goal of trying to make sure those who should be on a plane out of Afghanistan were able to be so. It was an emotional issue and a trying issue and something that she never conceded: the belief that she couldn't make a difference. Man, she made a difference in so many people's lives. It gives me the chills to tell the story of her dedication to this cause. I am so grateful; many Kansans are grateful; many Americans are grateful that she cared so much.

I will be sad that she will be leaving our office at the end of the month, but I know that she will serve the Air Force well as she transitions to the Air Force Legislative Liaison Office in the House of Representatives.

It was a real pleasure having Grace in our office, and I hold her in the highest regard personally and professionally. She is a significant asset to our Nation and to the U.S. Air Force. Grace represents the best of what the Air Force has to offer, and I know she will continue to benefit the future of our Nation.

I hope that her experience in our office is something that lends itself toward her further professional advancement within the Air Force and an understanding of our democratic process.

There is no group of people I hold in higher regard than those who serve our Nation, and I want to reiterate my gratitude to Grace for her service and dedication.

Once again, thank you, Grace, for all you have done for Kansans and for Americans in the year that you have spent in our office. You have been a model of selfless service and leadership. I know that you will continue to do great things throughout your Air Force career and your life of service, wherever that path may lead.

Grace, thank you so much.

I yield the floor.

The PRESIDING OFFICER. The junior Senator from Alaska.

### BIDEN ADMINISTRATION

Mr. SULLIVAN. Madam President, today, I wanted to rise on the Senate floor and talk about a topic of utmost importance to my State, the great people I have the privilege of representing, and what the Biden administration is

doing to good, hard-working American families in Alaska. It is what I call the anti-Alaska agenda, or the Biden administration's war on working families.

I know that Americans all across the country have felt pain—economic pain, health pain, unfortunately, too many deaths as a result of the pandemic. Right now, we are seeing high energy prices and empty shelves. There has been a lot of suffering in America. We are a resilient people, however.

My State, like many, has been hit very hard by the pandemic, particularly economically—our energy sector, our fishing sector, our tourism sector. And as we are coming out of this pandemic and everybody trying to work together—we all want growth and opportunity in America—we have now been hit with this—with this. This administration has issued, in its first 9 months in office, 20 Executive orders for Executive actions solely focused on Alaska.

I came down to the floor 2 weeks ago to talk about this. It was 19 then. You wait a week or 2 with the Biden administration in Alaska, and it is up to 20. I am sure they have a lot more ready to go. Twenty—there is no State in America that is getting this kind of attention from the Biden administration, and we don't want it.

What I am going to be continuing to ask my Senate colleagues to do—and I am going to start with the President of the United States, who was a U.S. Senator for many years, decades—put yourself in the shoes of the people I represent.

Let's imagine that a Republican administration comes into office and issues 20 Executive orders or Executive actions focused on Delaware—tiny, little Delaware. The Senators from Delaware, including the former Senator, now-President, would be down on the floor of the U.S. Senate raising Cain, raising heck—I don't think I am allowed to swear here—because of this, because they want to stick up for the people they represent. Imagine that.

These Executive orders and actions are not some kind of simple abstractions; they are 20 orders and actions that go to the heart of what Alaskans do in terms of our economy: work, keeping food on the table, keeping lights on in their homes, paying the mortgage, keeping their kids in college, keeping their cultures thriving, keeping our communities from crumbling, particularly in rural Alaska. Some of the poorest communities in America is where this administration is targeting the people I represent.

Very few people in my State—Democrat, Republican, Native, non-Native—support this war against Alaska. This is not a partisan issue back home, and here is why: because real people, real families, real communities are being hurt—your fellow Americans. It has got to stop.

I have demanded a meeting with the President and his team to just walk him through this.