

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

NAYS—48

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

NOT VOTING—2

Cramer	Toomey
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The nomination was confirmed.

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

The majority leader.

MOTION TO DISCHARGE

Mr. SCHUMER. Madam President, pursuant to S. Res. 27, the Judiciary Committee being tied on the question of reporting, I move to discharge the Judiciary Committee from further consideration of Hernan D. Vera, of California, to be United States District Judge for the Central District of California.

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.

I yield the floor.

The PRESIDING OFFICER. The senior Senator from Arizona.

BIPARTISAN SAFER COMMUNITIES ACT

Ms. SINEMA. Madam President, I rise today at a time in which families in Arizona and across America are scared. For too long, they have seen unacceptable levels of violence in their communities, and it threatens their sense of safety and security.

The morning after the tragic, horrible activity at Robb Elementary School in Uvalde, TX, we all felt that fear. We felt it when we spoke to our

neighbors and our friends and checked on our loved ones to ensure they were OK.

For decades, parents have lived with the unnerving uncertainty of what might happen when they send their children to school or attend worship services, go to the grocery store, or even simply let their kids play outside.

For too long, political games in Washington on both sides of the aisle have stopped progress towards protecting our communities and keeping families safe and secure. Commonsense proposals have been tossed to the side by partisan lawmakers choosing politics instead of solutions.

Elected officials have made a habit of insulting one another for offering thoughts and prayers, for blaming violence on strictly mental illnesses or video games or particular kinds of weapons or any cause that didn't align with and confirm their own predetermined beliefs.

Casting blame and trading political barbs and attacks became the path of least resistance, but the communities across our country that have experienced senseless violence deserve better than Washington politics as usual. Our communities deserve a commitment by their leaders to do the hard work of putting aside politics, identifying problems that need solving, and working together towards common ground and common goals.

On May 24, as news spread of the shooting in Uvalde and the 21 beautiful lives cut short, my friend and colleague CHRIS MURPHY came to the Senate floor, and he asked the Senate one simple question: What are we doing; why are we here, if not to solve a problem as existential as this?

I am grateful that colleagues on both sides of the aisle have answered CHRIS's question by resolving to do the hard work, build consensus, and find solutions.

Senator MURPHY, a tireless advocate for families in Connecticut, reached out to my friend Senator JOHN CORNYN of Texas, offering his condolences and assistance. Senator CORNYN was in Uvalde, comforting families who were experiencing the unthinkable, and Senator MURPHY had, sadly, been in a similar place 10 years before at Sandy Hook.

That same day, I reached out to Senator CORNYN and Senator THOM TILLIS, two friends I have worked with to craft lasting, bipartisan solutions managing the crisis at our border and helping veterans access the benefits they have earned. We all planned to get quickly together to identify realistic solutions.

Within 1 day, Senators MURPHY, CORNYN, TILLIS, and myself—all representing diverse States from across the country—sat down and started working together.

That same day, we met with a larger group of 12 bipartisan Senators, all of whom were eager to sit down, work together, and find a path forward.

Those meetings started a 4-week process, considering and working to-

ward a host of solutions that would save lives, make communities safer, and protect Americans' constitutional rights.

As we wrote our bill, we viewed our conversations as collaborations, not negotiations. We refused to frame our work as giving something up to getting something in return, and we stayed laser-focused on our shared goal of reducing violence and saving lives across American communities.

We acknowledged that the root of violence plaguing our communities is complex. It can be partly attributed to criminals with dangerous weapons and attributed to a mental health crisis affecting young people in cities and towns across America.

We spent hours carefully considering policy provisions, ensuring that we got the language right and that every policy included in our bill could help save lives, help children learn and grow in healthy, supportive environments, and make our communities safer, more vibrant places.

It was hard work, and it was worth it. Together, we put aside our differences, focused on our shared values, and crafted a bill that expands resources in schools to help kids grow and learn, where they feel connected to their communities and where they know they can seek help if they need it.

We boosted mental health resources through more community behavioral health clinics and increased access to telehealth services, ensuring that kids and families have access to care no matter where they live.

Our mental health and school support proposals include evidence-based resources and programs that I saw help reduce violence when I was a young social worker serving in Sunnyslope and Shaw Butte Elementary Schools in Phoenix.

Our provisions to protect more survivors of domestic violence will reduce the impact of trauma in children's lives all across the country, ensuring that more kids and families grow up in safe homes, free from violence, and free from the fear of violence.

And acknowledging the fact that the overwhelming number of gun owners are law-abiding citizens, we cracked down on criminals who illegally sell or purchase guns and ensure that courts, consistent with clear due process rights, can keep dangerous weapons out of the hands of people who are dangerous to themselves and others.

I am the sister of a police officer, and I grew up in a family of gun owners. I know firsthand how fundamental the Second Amendment is to families across Arizona. Arizonans have a constitutional right to bear and keep arms, and that right will not be infringed upon.

Instead, our Bipartisan Safer Communities Act ensures that our background check system works effectively and includes those who have committed dangerous crimes as juveniles

or who have a history of domestic violence—protecting the constitutional rights of law-abiding Americans while reducing familial violence and occurrences of childhood trauma.

All of these tools together will give families in Arizona and across our country more peace of mind so they can trust that their communities are secure and their schools are safe.

And, critically, the broad, bipartisan support of well over 60 Senators from across the political spectrum, including both the Republican and Democratic Senate leaders, ensures that when our bill is signed into law, it will stand the test of time.

You know, over the past few years, we have been told, time and time again, that bipartisanship just isn't possible. And even after proving bipartisan success with our historic Infrastructure Investment and Jobs law last year, we continued to be asked by pundits and political purists to accept a new standard by which important policy can only come together on a party line.

But that just isn't true. What could be more important than keeping families and children safe and secure in their communities and in their schools?

The truth is, Americans are far more united than today's politics would have you believe. Ask our constituents in Arizona, Connecticut, Texas, North Carolina, and every State in between—ask them what they want to see in Washington, and they will tell you: an ability to work together, to solve problems, and help them build better lives for themselves and their families.

Our bipartisan group of Senators rejected the notion that legislating must be a zero-sum game, with winners on one tally sheet and losers on another.

Together, we provided an example for how Washington can and should work. We got out of our comfort zones; we built broad coalitions with unlikely allies; and we refused to demonize each other when things got tough.

And I sincerely thank Senator CHRIS MURPHY for his passion, Senator JOHN CORNYN for his leadership, and Senator THOM TILLIS for his pragmatism.

Each of my friends and colleagues brought a unique perspective and expertise that allowed us, together, to craft the most holistic approach to community violence in nearly 30 years.

I also want to thank all of our staffs, especially my legislative director, Michael Brownlie, and my counsel, Chris Leuchten, for their tireless hours, including working straight through Father's Day to get this bill right.

You know, their efforts will save lives, help families across our country feel more secure, and make our schools safer.

I promised Arizonans that I would be an independent leader for our State and that I would ignore the chaos of Washington and instead just focus on getting things done. It won't surprise anyone who might be listening today

when I tell you that Washington hasn't always liked my approach. But our bipartisan bill demonstrates the difference that elected leaders can make in the lives of our constituents when we choose to heal our divisions instead of feed those divisions.

Our historic legislation proves that bipartisan solutions are possible when we just stay focused on what we were sent to Washington to do—to solve problems, help Americans thrive, and ensure that our country remains a safe and secure place to call home.

And on this particular bill, my colleagues and I join together with a special sense of purpose to honor the lives that were tragically lost to senseless violence in Uvalde, in Buffalo, in Tucson, in Parkland, in Charleston, in Sandy Hook, and in communities all across our country.

Our plan will make American communities safer, and we will help return a sense of security to everyday American families.

I couldn't be more grateful for this moment.

I yield the floor.

The PRESIDING OFFICER (Mr. HICKENLOOPER). The Senator from Connecticut.

Mr. MURPHY. Mr. President, in the Gallery right now listening to the Senate debate on the Bipartisan Safer Communities Act is one of my interns. Her name is Sari Kaufman. I am glad to have her as an intern in my office this summer, but Sari has a story to tell because she is a survivor of a mass shooting.

She was a student at Marjory Stoneman Douglas High School when a gunman entered that campus and shot and killed her friends, her classmates. She reminds us that she went to more funerals in a matter of a week than many adults do in their entire lifetime.

She was in debate class when the shooting started, and she ran for her life, as did hundreds of other survivors of that horrible day.

No student in America should have to experience what she went through. No young person should have the burden that she bears to come to Washington and argue for changes that will make sure that other students don't go through the same thing, and no parent should have to go through the grief that parents day after day do, mass shooting after mass shooting, urban homicide after urban homicide, as we lose a generation of kids, of young people in this Nation to an epidemic of gun violence that can be stopped by better public policy.

I have been on this floor hundreds of times pleading with my colleagues to do something, and I am so grateful that Senator CORNYN, Senator TILLIS, and a handful of their colleagues on the Republican side this time stood up and sat down with Senator SINEMA, myself, and other Democrats to find the common denominator.

I am here on the floor to talk a little bit more about what our piece of legis-

lation does, but I agree with Senator SINEMA—this is a moment where we have shown this country what is possible here in the U.S. Senate.

I talked last night about the fear that families in Connecticut and all across the country felt in the wake of Buffalo and Uvalde and that twin fear about what fate awaited their children but also what fate awaited our democracy if we were unable to rise to this moment to deal with this existential challenge—the loss of life in schools, in shopping malls, in supermarkets.

And while this compromise was hard-earned, every single day for the last 4 weeks proved to me what can happen in this body if we decide to come out of our political corners.

And let me say that this moment that we are in today, on the precipice of passing the most significant piece of anti-gun violence legislation in the last 30 years, would not be possible if it were not for Senator SINEMA. It would not be possible if it wasn't for her decision to sit down and help us find a path to what was possible.

But it is also clear that without the leadership of Senator CORNYN, who has been through way too many of these tragedies in his State, and Senator TILLIS, a strong supporter of Second Amendment rights but also somebody who believes in this place finding a way to that common denominator, this day wouldn't be possible either.

So I want to talk for a few moments about what this bill does because there will be a lot of folks who focus on what it doesn't do. It certainly doesn't do all of the things I think are necessary to end the epidemic of gun violence in this Nation. But it will save thousands of lives; there is no doubt about it in my mind. And, in fact, I could make the argument that every single one of the provisions in this bill, in and of themselves, would save thousands of lives.

We don't get to do that very often in this place. We don't get a chance very often to pass legislation that has this kind of impact. So if you want to focus on what is not in this legislation, you can, it is your prerogative, but I want to spend a few minutes talking about the difference this legislation will make in people's lives.

Senator SINEMA and Senator CORNYN rightly focused—and I put it right at the top—this major, historic investment in mental health access. I made no secret in my belief that you can't solve America's gun violence epidemic simply through mental health funding, but there is no doubt there is an intersection, and there is no doubt that our mental health system is just broken—period, stop—whether you believe that it has any intersection with America's gun violence epidemic. There are far too many kids and adults in crisis in this country who cannot get access to mental health services. In my State, kids get stacked up in emergency rooms in hallways, waiting days, if not weeks, for inpatient beds.

There is \$11 billion in this bill to unlock pathways to treatment for kids and adults all across this country; funding in this bill for school and community safety—\$2 billion to make our schools safer, not just for better door-locking mechanisms, but also in programs inside these schools that can try to identify kids in crisis early. There will be supportive school environments that cut down on the pathways to violence. But also there is money for community-based intervention, what we call violence interruption programs. We have them in Connecticut where you intervene when a shooting victim comes to the hospital. You will make sure that that incident doesn't spiral into retributive violence in the community—funding for school safety and community safety in this bill.

And then the parts of the bill that probably get the most attention, the changes in our gun laws—these crisis intervention orders do work. Not every State has them. It was important to Senator CORNYN for money to go to every State regardless of whether they have red flag laws; but if you have a red flag law or you want to pass one, you will be able to get funding through this bill—significant funding—to allow you to implement that red flag law better. There are States that have them, but they don't work very well because people don't know how to access them. Police officers or first responders don't know what to do when they see somebody in crisis, when they see somebody threatening violence to themselves. Now, we will have funding to help States that will allow the authorities with court orders to be able to temporarily take weapons away from people who were threatening to kill themselves or threatening mass violence.

We are going to keep guns away from domestic abusers, and we know that in States that make sure that every domestic abuser is not allowed to purchase or possess guns that there is a significant impact on domestic violence. And so our bill makes it a national policy that if you have carried out an act of domestic violence against your partner, whether you are married to them or whether you are in a serious dating relationship, you are not going to be able to have guns in your home.

But because this is a compromise, we built in a process by which those who have no previous record and those who keep their records clean subsequent to the offense could get those rights back. It makes sense to us, especially if you are convicted of a felony, you have a pretty clear pathway in your States to get your rights back—your voting rights or your Second Amendment rights. So we set up that process for those who are convicted of domestic violence, dating misdemeanors.

Enhanced background checks for young buyers—whether we like it or not, the 18-to-21-year-old profile, those are the mass shooters right now in this country. And so we want to make sure that we do a more significant back-

ground check to make sure you are a responsible gun buyer, including a check with the local police department.

The shooter in Uvalde was known to local police. He didn't have an offense that would have prohibited him from buying those weapons. But, ask yourself, what would have happened if the local police department had gotten a phone call as a part of that background check, had been alerted that a young man who they knew to be in some form of crisis was going to buy AR-15-style weapons on his 18th birthday? Would there have been an opportunity for an intervention? Possibly. Maybe that tragedy could have been avoided by better public policy.

In this bill, we also have new penalties for gun trafficking and straw purchasing. Why on Earth hasn't the United States of America had a law banning gun trafficking at the Federal level or banning straw purchasing when the main way that guns get into the flow of illegal traffic is through straw purchasing and through complicated gun trafficking networks? Now, our Federal law enforcement agencies are going to have available to them new tools that will allow them to cut down on the flow of illegal weapons throughout the country, but in particular and most importantly, into our cities.

And the last thing we are going to do is more background checks because of this bill. We clarify in this bill the definition of a federally licensed gun dealer to make sure that everybody who should be licensed as a gun owner is. In one of the mass shootings in Texas, the individual who carried out the crime was mentally ill. He was a prohibited purchaser. He shouldn't have been able to buy a gun. He was actually denied a sale when he went to a bricks-and-mortar gun store, but he found a way around the background check system because he went online and found a seller there who would transfer a gun to him without a background check. It turned out that seller was, in fact, engaged in the business, but didn't believe the definition applied to him because the definition is admittedly confusing. So we simplified that definition and hope that will result—and I believe it will result—in more of these frequent online gun sellers registering, as they should, as federally licensed gun dealers which then requires them to perform background checks.

Each one of these provisions arguably saves thousands of lives in and of themselves; but cumulatively, this is a groundbreaking piece of legislation—a true compromise—not as much as I would like to do but certainly more than some Republicans would like to do. And it is a message to this country that there is a path forward in this body to address the epidemic of gun violence. It is a message to the activists like Sari Kaufman, who have been coming to this place, who have been going to their State legislatures, ask-

ing time and time again for change that speaking truth to power works, that legislators do listen.

And I hope it as an invitation for us to find more ways like this to work together in the future. My belief is that those who vote—even those who have been on the outside of these negotiations in the past will find that when they get back to their States, there will be unfamiliar supporters showing up at your events indoors, people who are cheering you on because we worked together to take this existential issue, the fear of death from gun violence, more seriously than we have in over 30 years.

So I am glad to share in a little bit more detail than I was last night what is in this package. I believe this is a week to focus on what we have done and not what we have left undone and to accept this as an invitation to find other ways to come together around difficult, vexing issues in this country.

I have a fourth grader the same age as those kids in Uvalde, and I do not want him to grow up in a world in which he and his classmates have to worry about their survival when they walk into their school every day. I do not want to live in a world where survivors of these tragedies in school after school have to become advocates and activists in this cause. And while this bill doesn't solve America's gun violence, it shows we have the potential to work together on these difficult vexing challenges in a brandnew lifesaving way.

I yield the floor.

The PRESIDING OFFICER. The Democratic whip is recognized.

Mr. DURBIN. Mr. President, on June 12, a bipartisan group of 20 Senators announced an agreement on legislation to protect our children and communities from the epidemic of gun violence. In the days since then, this bipartisan group, led by Senators MURPHY, CORNYN, SINEMA, TILLIS, and others, have worked to move this agreement forward.

We took a test vote last night—our first Senate floor vote on the package. It was a strong bipartisan rollcall. Let's be clear: This bill is a compromise. In a 50/50 Senate, we expect nothing less.

It doesn't accomplish everything I want. It certainly doesn't accomplish everything which the Republican colleagues who voted for it want either, but the reforms and investments made in this bill represent an important step toward making our Nation safer.

It won't end gun violence, but it will help to reduce the number of shootings and killings which number 100 Americans each day, and it will end, perhaps, guns as the leading cause of death among our children.

Let me highlight a few important provisions: \$250 million in grants for community violence intervention programs which have shown great promise in communities in my State. This

would double the current annual Justice Department funding for these programs. The bill makes dramatic investments in mental health infrastructure, providing billions of dollars in school and community mental health grants and behavioral health clinics. It gives an additional \$28 million to fund the trauma support in school program at HHS. This is a program that Senator CAPITO—Republican of West Virginia—and I created in 2018 to help break the cycle of trauma and violence.

The bill also provides three-quarters of \$1 billion in Byrne/JAG grants to help States administer crisis intervention programs like the extreme risk protection order laws in Illinois and 18 other States.

The bill takes significant steps toward closing the boyfriend loophole: keeping guns out of the hands of dating partners who have been convicted of domestic violence offenses.

It creates a new Federal offense for the crimes of straw purchasing and gun trafficking. This will crack down on the illicit flow of guns into cities like Chicago.

Again, this bill is a compromise. There are provisions I would rather change and some I would rather do without; but, overall, it marks the most significant gun violence reduction legislation in nearly three decades. I commend the bipartisan effort that led us to this point, and we should pass this bill without delay.

I want to call particular attention to two sections of this bill that I mentioned.

One is to stop straw purchases. Straw purchases are when a person with a clean criminal record or with no criminal record goes to buy a gun for the sole purpose of giving it to another individual who has a criminal record and couldn't legally purchase a gun himself. That happens. It happened last year in Chicago. There was a straw purchase of a gun, and the gun was handed to a felon who turned around and used it to kill a Chicago police-woman named Ella French.

Ella French was 29 years old. She was a remarkable young woman. She had a great future ahead of her. She was, unfortunately, shot—gunned down—with a straw purchase gun. The same gun was used against her partner in his police vehicle. He lost his sight in one eye. He survived. But that just shows you that these straw purchase guns are being used by people against police and innocent people on a regular basis.

Straw purchasing—buying a gun with a clean record to hand over to someone who has a felony conviction—should be treated as a serious violent crime. This bill does that.

The second thing that we desperately need is to deal with counseling. Now, I know there is a traditional political argument where Republicans say: Guns are not the problem—it is mental health or other issues—and Democrats say: It is guns, and if you don't include guns in the package, you are not going to get the job done.

In my view, it includes both. You have to believe if half of the gun deaths in America each day are suicides, that the people who are the victims of those suicides needed, at least at some point in their lives, mental counseling. This bill provides counseling, and I hope it comes in the nick of time for people to turn their lives around and to restore hope in their futures so that they don't resort to the desperate decision toward suicide. Mental counseling, for them, is important.

Secondly, of course, we read about the mass shooters in theaters and in supermarkets and in schools, and we realize that they, too, should have been counseled at some point in the hopes that you could try to divert them from this vicious path that they are about to follow. That is an important issue.

The third group is one that I am more familiar with. They are those people who are involved in gun violence in our cities like Chicago and St. Louis and in so many other cities. These are young people who have diverted their lives away from what we consider to be normal because of a traumatic experience.

Now, trauma is more than physical trauma. It can involve types of posttraumatic stress that really lead to fight-or-flight syndromes and an involvement in gangs and the use of guns without having the feeling of guilt toward anyone you hurt.

These people need help. If we can reach them at an early age in schools, we might be able to turn their lives around. If we don't try, unfortunately, the violence will only continue on our streets. This bill that we are considering—this community safety bill that we are considering—provides resources to school districts to counsel young people.

I think it is long overdue and is desperately needed, not just for those who have been through serious trauma in their lives, but for those facing other mental challenges. Our kids who have gone back to school after COVID may need a helping hand and someone they can counsel with. This bill starts providing those valuable resources. I believe it will make an important difference in the future of our country.

INFLATION

On another topic, Mr. President, “inflation” is the word on everyone's mind. We see proof of it plastered on gas stations throughout the country and in the aisles of our grocery stores. Too many families are struggling to pay bills. Just last week, the Federal Reserve launched its most forceful broadside against inflation, the largest increase in interest rates in nearly 30 years.

As lawmakers, we owe the American people an honest, sober assessment of how we can start to bring down prices and help alleviate stress at the check-out lane; but, sadly, the inflation conversation has been twisted with dishonesty and deflection by some political critics.

Instead of passing legislation to help reduce the cost of essential goods and services like prescription drugs and childcare, many are pointing the finger of blame at the Biden administration as if he invented inflation or isn't doing his best to end it. Despite the fact that it was former President Trump who urged the Federal Reserve to keep the money printer running at the start of the pandemic and that the Republicans oppose a bill that would prevent big oil companies from price gouging, we see arguments that are made totally on a political level.

The bad-faith arguments we have heard from across the aisle ignore the essential truth: Inflation is not just an American problem; it is a global problem. It is happening in advanced economies like in the UK and France. That is largely due to disruptions in the supply chain.

The phrase “supply chain” didn't mean much to America a few months ago, but now, we know it is an important part of our challenge. This began 2 years ago with the pandemic, and it has been aggravated by Vladimir Putin's barbaric invasion of Ukraine. It has caused the cost of everything from food to energy to spike.

In the words of one conservative commentator at the Wall Street Journal:

War in Ukraine Fans the Flames of Global Inflation.

IMMIGRATION

Mr. President, it is crucial to recognize the United States can't solve these global drivers of inflation on our own, but there is one driver of inflation that is within our control: labor shortages. We have twice as many jobs that need to be filled in this country as unemployed people to fill them.

What can we do?

The chart tells you part of the story. This chart indicates that, under the policies of the previous administration and due to the COVID-19 pandemic, as well as lengthy backlogs, America has experienced a marked decline in immigration that has had a direct and detrimental impact on working families.

According to EconoFact:

[N]et migration to the United States . . . has significantly declined over the last five years due to policies of the Trump administration, processing backlogs, the pandemic, and other factors. This slowdown has implications for the number of workers available and for fiscal sustainability.

By the end of 2021, there were 2 million fewer working-age immigrants in America than there would have been if the pre-2020 migration trends had continued.

Now, perhaps your first instinct is, Well, that is a good thing; that means more jobs for American workers.

But the reality is not that at all. This decline in immigration is hurting working Americans and is contributing to inflation. There are a number of industries in America that rely on foreign-born labor to provide affordable goods and services to our country—industries like construction, agriculture, transportation, to name just a few.

Consider the healthcare industry. Nursing homes depend on a reliable supply of immigrant workers to provide care to the elderly and disabled, but since 2019, nursing homes have lost more than 15 percent of their workforce. Today, nearly every nursing home in the country—99 percent, according to the Wall Street Journal—is experiencing staffing shortages. As a result, many of them have had to limit the number of new clients they accept.

In the words of one leader in the industry:

We're just looking for people to fill the roles that we need. And time and again, we find it is the immigrant population that tends to respond to us.

So it is our grandparents who end up paying the price for the shortage of working-age immigrants, and they are not alone.

If you are in the market for a new home, you may have noticed prices are prohibitively high, and these skyrocketing costs aren't just hurting potential home buyers; they are hurting renters as well. The cost of rent is actually outpacing inflation in America.

One obvious way to bring housing costs back down to earth is by expanding the supply of homes in America. There are plenty of homebuilders who are willing to help fill the void, but they have got a problem: not enough workers.

Down in Dallas, TX, one homebuilder named Joshua Correa has been forced to delay home construction projects for months because he can't hire field crews.

In his own words:

Immigration is very important for our workforce in the United States . . . We're feeling [the shortage of workers] . . . and if we're feeling it at the end of the day as builders and developers, the consumer pays the price.

From building new homes to providing healthcare in our homes, we rely on immigrants to fill critical roles; and in the absence of immigrant workers, we as customers end up paying higher prices.

If we want to solve America's worker shortage, we need to drastically increase the number of immigrants we welcome into this country. Don't just take it from me. The CEO of the Chamber of Commerce of America has called for doubling the number of legal immigrants into this country.

In her words:

If we can alleviate the worker shortage, it might be the fastest thing [we can] do to impact inflation.

And that is just a short-term benefit for fixing America's broken immigration system. In the long term, comprehensive immigration reform would drive America's economic growth for years to come.

According to the Economic Policy Institute, undocumented immigrants already pay nearly \$12 billion in State and local taxes annually, but many of them are not on the books. By providing them with a path to legal sta-

tus, we can double the amount of Federal tax revenue our Nation collects from this group. That is money that will fund the construction of roads and bridges and which will make Social Security, Medicare, and Medicaid payments. That is especially important when you consider the growing number of senior citizens in America who rely on these programs. By the end of this decade, more than a fifth of our population will be over the age of 65. These Americans need a reliable, working-age tax base to support them.

A path to legal status for undocumented immigrants also would boost our Nation's GDP by more than \$1 trillion over the next 10 years and create hundreds of thousands of jobs.

Passing immigration reform will also help keep America on the cutting edge of innovation. Despite our former President's destructive immigration policies, America is still one of the top destinations in the world for innovators and entrepreneurs. In fact, more than half of our Nation's billion-dollar startups were founded by an immigrant. Let me repeat that. More than half of our Nation's billion-dollar startups were founded by immigrants. Every day that we fail to enact immigration reform, we are allowing a generation of potential innovators and skilled workers to fall through the cracks.

I want to briefly share the story of one amazing person who almost fell through the cracks. His name is Dr. Alfredo Quinones, but he is more commonly known as Dr. Q. Today, Dr. Q—listen to this—is the chair of neurologic surgery at the Mayo Clinic.

Decades ago, when he first arrived in the United States as a teenager, he was an undocumented farmworker. He earned little more than \$3 an hour picking crops in the San Joaquin Valley in California. Eventually, he began working as a welder for a railroad. One day, he suffered a bad injury after falling into an empty petroleum tank. When he woke up in the hospital, Dr. Q decided to pursue his passion.

He enrolled in the University of California at Berkeley and wrote his honor's thesis on neuroscience. That caught the attention of admissions officers at Harvard Medical School, where he was accepted as a student. He studied hard and discovered his calling: neurosurgery. Today, he removes about 250 brain tumors every year. Outside of the OR, Dr. Q devotes countless hours to pioneering research. He has a very modest goal—curing cancer—and is exploring novel methods, like using human fat cells to fight brain cancer.

How many other Dr. Qs are out there, hiding in the shadows of our immigration system? Isn't it time we found out?

In the meantime, I would like to pose a simpler question to my Republican colleagues: If you are genuinely interested in addressing inflation, will you help us move forward on this issue before the election?

Your willingness to work on immigration reform will reveal the answer. It is one of the most consequential steps we can take to combat inflation.

I yield the floor.

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.

INFLATION

Mr. BARRASSO. Mr. President, I come to the floor today to talk about this Joe Biden-caused economic crisis that is impacting our country.

Last week, Joe Biden said his spending is "changing people's lives." Well, for once, I am in complete agreement with Joe Biden because I have been traveling the State of Wyoming this past weekend, talking to a lot of people, and Joe Biden's policies have been changing people's lives. Joe Biden's inflation is changing people's lives for the worst. It is costing American families about \$5,000 more this year than it did last year just to break even. Joe Biden's inflation is driving families to the breaking point. Right now, working families all across this country are hoping for a summer break. This year's summer break might just break working families.

Inflation remains at a 40-year high. Prices are going up everywhere—gas station, grocery store, and even paying rent. Household staples like ground beef and chicken—highest prices ever. Inflation for eating at a restaurant—highest ever recorded. Families are paying \$100 a week more than they did just a year ago just to stay afloat.

According to a study from the University of Michigan, this is the biggest decline in disposable income since Herbert Hoover was President—Joe Biden; Herbert Hoover. Families' savings accounts are depleted. We now have the lowest savings rate since the great recession. Household debt is breaking records. Families are being forced to cut back in ways they didn't think possible.

The fastest inflation of all, of course, has been on energy. Overall, inflation has been nearly 9 percent, but inflation for gasoline under Joe Biden is more than double—over 100 percent. The price of a gallon of gas has more than doubled since Joe Biden walked into the Oval Office. High energy costs mean high costs for everything else. High gas prices mean it is harder to get goods to the market. Diesel prices are also at record highs. Americans depend on farmers, and farmers depend on diesel. That is just a fact of life. That is why America needs energy now more than ever, in spite of the policies of Joe Biden.

Rather than producing more energy, what does Joe Biden do? He is producing one excuse after another. He

continues to tighten the stranglehold on American energy, making it harder and harder to produce American energy, which is making American energy even more expensive.

Last week, Joe Biden, President of the United States, sent a threatening letter to American energy companies. Now, he claims he wants more energy, but his actions speak much louder than the words he writes or speaks because Joe Biden has done just about everything possible to keep American energy buried in the ground. He has blocked so many different ways to get American energy out of the ground and to refineries and to export or to production. In fact, his Secretary of the Interior explicitly made that a campaign promise when she was running for Congress. The Secretary of the Interior—confirmed by the Democrats, opposed by me—promised to keep American energy in the ground. Well, that is exactly what Joe Biden is doing and having her do.

By one estimate, Joe Biden has taken more than 100 actions, since he has been President, restricting American energy. It all started his first day in office. In the first few hours as President, Joe Biden killed the Keystone XL Pipeline—killed it flat—and then bragged about it. The Keystone Pipeline would have meant 800,000 barrels of oil delivered to this country each and every day, coming in from Canada.

But that wasn't enough, no. A few days later, Joe Biden made another announcement of his anti-American energy policy. He announced he was going to put a pause on all new oil and gas leases on Federal land. Bragging about Keystone, announcing a pause on leases on Federal land, and now here we are after 17 months in office—none. But Barack Obama by this time had done 44 Federal energy leases. Not a single one by Joe Biden—no, not one.

He has also shut down energy exploration near the Arctic. All you need to do is talk to the senior Senator, whom I share time with on the Energy Committee, Senator MURKOWSKI, about what is going on there, and she will tell you how Joe Biden has shut down energy in the Arctic. He has kept more than 4,300 drilling applications collecting dust on his desk.

His energy agenda is far, far to the left of any previous American President. His energy agenda, amazingly, is far to the left of Hillary Clinton's agenda when she was running in 2016—further to the left than Hillary. This is the most anti-American energy agenda in American history, and Joe Biden owns it.

When he says he wants us to produce more, no one believes him. No one believes this President. You look at any poll numbers—people do not believe Joe Biden when he speaks, and people have stopped listening to him. The American people believe with their own two eyes and their empty wallets. They drive by the gas station, look at the price up there, and say: It is only going up.

If you want to know what Joe Biden really thinks, just look at what he does; just listen to the people he has surrounded himself with. His anointed climate spokesman—and I mean anointed—is one John Kerry.

John Kerry said last week: "We absolutely don't" need more oil, gas, and coal—"absolutely don't" need. That is the position of this administration and the President of the United States. He is happy with high prices. John Kerry thinks we can just get rid of fossil fuels immediately.

These people are living a fairy tale. They are in a cocoon of self-delusion. That is what is going on at this White House. Joe Biden's fantasy of ending oil and gas is just that—a fantasy.

He wants every American in an electric vehicle. There are not enough batteries; don't have enough charging stations; don't have enough of these vehicles. Even the Secretary of Transportation—he bought one of these. He bought it from Mexico, according to the news reports, and it got recalled, along with 49,000 other electric vehicles, because the battery didn't work. The battery was not reliable. Pete Buttigieg—Mayor Pete—went from filling potholes in a small town in Indiana to becoming the world's highest paid salesman of electric vehicles, but yet his own one failed him.

The Biden administration is convinced they are making an "incredible transition." This isn't science; this is science fiction.

Last week, Joe Biden's Press Secretary was asked why the President wasn't going to "drill more here at home." After all, that is what the American people are calling for. That is what the economists say is a problem. Why aren't you drilling more at home? She says: Oh, "[w]e don't need to do that." They don't seem to care how high energy prices go, what the cost of gasoline is, because they live in a pure level of electric vehicles.

Earlier today, the President requested a pause on the gas tax until right before the election. This is the tax that funds our Federal roads and bridges. As a former member of the Environment and Public Works Committee, I know how important the highway trust fund is. It helps repair roads, bridges, and builds highways. Joe Biden doesn't seem to care about that part of it. He said: Oh, let's just call a pause of 18½ cents a gallon. It is a gimmick. It is a gimmick that won't have very much effect on gas prices because gas prices would still be double what they were when Joe Biden took office even if you take off 18½ cents.

Let me remind the American public that today gasoline prices on average are \$4.95 a gallon. It is more than double what it was the day he took office. We are up about \$2.50 for each and every gallon, and Joe Biden thinks: Well, you remove 18 cents, and we will call it good. What a fantasy.

Democrat economist Larry Summers has called this idea by the President of

the United States—and let me point out that Larry Summers was Bill Clinton's Secretary of Treasury, economic adviser to Barack Obama, and president of Harvard University, and he says that what Joe Biden is doing—he called it "shortsighted, ineffective, goofy and gimmicky." That is about what we are getting from this President of the United States—goofiness and gimmicks.

Back in 2008, even President Obama said the idea was a gimmick. He ought to have credibility with the Democrats. You would think Joe Biden might have listened to him; he was his Vice President. President Obama said: This idea isn't "designed to get you through the summer, it's designed to get them through an election."

What about the Speaker of the House, NANCY PELOSI? She is a big Joe Biden fan. This is what she said of the idea. The thing the President proposed today, she said, is "very showbiz"—"very showbiz." She said: It looks like you are doing something, "[b]ut it is not necessarily landing in the pocket of the consumer."

So Joe Biden wants to look busy. It is not what the American people are seeing, and in so many ways, they have tuned him out. The American people see the price of gasoline. They see it every time they drive by a gas station. At the same time, Senate Democrats want to raise taxes on American energy. That is what we hear from the Senate Democrats.

What is your solution?

Well, we are going to raise taxes on American energy.

Oh, sounds good.

Higher taxes mean higher prices—it is that simple. Higher taxes on producers of oil and gas ultimately get passed on to the consumers. I am not sure what people don't understand about that.

NANCY PELOSI admitted that as well. A few months ago, she admitted that "a tax on production . . . the consumers [will] pay for that."

Look, Democrats are so desperate to try to do something, throwing one Hail Mary pass after another, they are now denying the laws of supply and demand. The Senate Democrats act like these prices come out of thin air. Prices are the result of supply and demand. Right now, the supply is too low to meet the demand of the American people. If you want lower prices, you have to increase the supply, and we can do that by producing American energy.

High energy costs are driving up inflation all across the country. It is triggering a cascade of crises. The stock market is down 20 percent. Seniors and retirees are watching their savings evaporate, melt away.

Last week, the Federal Reserve raised interest rates for the third time since March. Each increase has been larger than the last one. This latest increase is the largest increase in the Fed rate in 30 years.

Oh, there is no question this is going to slow down the economy. So why is

the Federal Reserve doing something that is going to slow down the economy? Well, there is one reason: inflation under Joe Biden and the big-spending Democrats. That is the reason inflation is running rampant. There were trillions of dollars thrown onto the fire of inflation—inflation denied by the President, ignored by the President, dismissed by the President for month after month after month, and now the American people are living with inflation they cannot escape.

So the Federal Reserve has only one choice. It is throwing on the emergency brake. It may still be too late to prevent a crash. The economy is barreling toward recession. Economists on both sides of the aisle say that, and Joe Biden the other day said, oh, he wasn't worried about that coming along.

A recession is a complete halt to economic growth for half a year. If you have a recession, you still have higher prices with lower economic growth. We would still have higher prices, and people won't have the money to pay them.

Right now, the Federal Reserve is taking desperate measures to counteract what Democrats have done. As a result, mortgage rates have already doubled this year. Mortgage applications have been cut dramatically. Older Americans are delaying their dreams of retirement. Younger Americans are giving up on their dreams of owning a home.

It is no wonder consumer confidence in Joe Biden in the Nation right now is at an alltime low. Joe Biden, who earlier had been compared to Herbert Hoover in terms of what people are saying about both of them, has an even lower approval rating on inflation than did Jimmy Carter.

Joe Biden wants to blame everybody but himself. Yet the American people are right when they point the finger and blame Joe Biden. With record inflation, record debt, and looming recession, now is not the time to do what the Democrats want to do, which is raise taxes. Democrats need to reverse course, stop the reckless spending, and above all, unleash American energy.

Joe Biden should rip up his letter to energy companies and get to work: hold energy lease sales, approve the 4,300 drilling applications still sitting in limbo in the Biden White House, approve more pipelines, speed up the approval process. The American people, right now, are feeling stuck and stressed and squeezed, and the best this President can do is say: Let's take a holiday from gas taxes for 3 months—when prices are up over \$2.60 a gallon from the day he took office. And he wants to alleviate 18 cents of the pain.

It is time for the Democrats to reverse course. We will see if Joe Biden listens. The Democrats are refusing to listen. Americans are paying a very high price today, and the Democrats, across the board, are going to pay a very high price in November when people go to the polls.

I yield the floor.

The PRESIDING OFFICER (Ms. BALDWIN). The junior Senator from West Virginia.

ENERGY

Mrs. CAPITO. Madam President, in March, I spoke here on the Senate floor about the highest reported gasoline prices ever. At that time, according to AAA, the average price in West Virginia, my home State, was \$4.12. Well, today—today—West Virginia's average is up to \$4.90 while the national average is \$4.96.

Last week, the national average for a gallon of gas was more than \$5—more than \$5. Think about that. And, worse, these high gas prices hit our hardest working Americans the hardest. As Axios reported, "Americans who earn less than \$50,000 a year are currently spending . . . 10% of their credit card bills on gas, compared with 6% for those households earning . . . \$125,000."

These prices are not sustainable for the American families, especially when you consider not only gas, but with out-of-control inflation, they are battling gas, electricity, groceries, and other necessities.

As the New York Times reported, "Prices climbed 8.6 percent in the year through May, a reacceleration of inflation that makes it increasingly difficult for consumers to afford everyday purchases."

So people ask me: How did we get here? Unfortunately, we shouldn't be surprised, even if it is hard to imagine that things would get this bad. From the earliest days of his Presidential campaign, President Biden promised to be anti-American-energy. As President, his policies and personnel choices have delivered on his campaign promises, and high prices are just part of the bargain, as they would say.

The administration has canceled pipelines, rescinded previously issued approvals for other pipelines, and raised barriers to building new ones. They have frozen oil and gas leasing and proposed raising royalties—costs that are passed on to every consumer and, remember, those hardest working Americans who are now paying 10 percent of their income.

They are revising the NEPA process, which is the environmental review process, undoing the streamlining that was done during 2020 to speed up project delivery. That means faster pipelines, faster infrastructure development of all kinds. Biden's EPA has hammered small refineries, including the one in my State, by denying hardship relief that could immediately help lower fuel prices. And Biden's EPA has also recently announced a proposal under section 401 of the Clean Water Act to make it easier for activists to work to prevent infrastructure projects.

Then there is the regulation on the power sector. The EPA has publicly announced plans to slam the electricity sector—already the most regulated sector by EPA—with a fresh new slate of new requirements.

The damaging policies I have laid out today have led to the energy crisis and skyrocketing energy and electricity prices that we face today. These policies are going to continue to fan the flames of this crisis, making it worse and not better. As costs continue to climb and energy production gets more expensive—thanks to this regulatory assault—utility operators are already warning of blackouts this summer. Operators are under tremendous strain, thanks to the Biden administration's policies.

So what has the White House done to address this crisis? Well, I think GasBuddy petroleum analyst Patrick De Haan said it well:

White House begs all companies to improve situation. Can we drill? We'd rather you not. Can we build a refinery? We'd rather you not. Can we build a pipeline? We'd rather you not. Just make it better.

So it is no wonder that all of these mixed messages have industry and investors confused. I am confused. The American public is confused why nobody woke up to what was going on here—and the President in the White House. The administration made releases from the Strategic Petroleum Reserve. What good did that do? It hasn't started to abate the steady rise in gas prices. They have pointed fingers at energy producers and refiners with claims of price-gouging. They have pointed fingers at Vladimir Putin, despite the fact that gas prices were steadily rising months before the invasion of Ukraine.

The White House is content to keep finger-pointing while refusing to take responsibility for their own actions. They know their actions are causing pain. They know, with these policies and pledges from our climate czar John Kerry to stop using our own American fuels, they are chilling investments that we need today. For example, who would make a billion-dollar, 40-year investment in the refining capacity we desperately need today when John Kerry promises that oil and gas investments will be "stranded assets."

Nothing the White House has promised will fix these kinds of issues. The President himself says energy producers should take immediate action to increase the supply of gas. Yet his advisers in the White House are counseling everyone otherwise. In effect and in the messages they send, this is going to make things worse.

This administration is fiercely determined to kill the oil and gas industry and baseload power sector in this country rule by rule, Executive action by Executive action. And the hard-working Americans are paying for it at the pump.

The American people are really smart. They see what is happening here. The Democrats want to layer on more regulations and legislation that will keep passing more and more costs on to those consumers, those hard-working Americans who are paying 10 percent monthly from their monthly

earnings. All the while, the Biden administration is working as hard as it can to shutter coal and natural gas energy production and electricity.

Do you know what? Without a 180-degree turn on several actions I have laid out, we can expect costs to stay high and blackouts and brownouts to occur.

Americans deserve better. I am an optimist. Americans deserve better.

I ask the administration to reverse course on some of these policies I have outlined and to put the livelihoods and the quality of life of our constituents first.

I yield the floor.

The PRESIDING OFFICER. The senior Senator from Maryland.

50TH ANNIVERSARY OF TITLE IX

Mr. CARDIN. Madam President, I take this time to celebrate the 50th anniversary of the enactment of title IX. It was passed and enacted on June 23, 50 years ago, when President Nixon signed title IX of the Education Amendments of 1972 into law, which explicitly added the following sex discrimination provision into the law:

No person in the United States shall, on the basis of sex, be excluded from participating in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.

Broadly speaking, title IX prohibits any institution that receives Federal education funding from discriminating against students or employees on the basis of sex.

Today, I would like to reflect on how far we have come in terms of combating sex discrimination in the United States, how far we still need to go, and what steps we can take as we strive to guarantee equal rights and equal justice under the law for all Americans, regardless of their gender identification or sexual orientation.

Sex discrimination comes in many forms and historically has included discrimination based on pregnancy or sex stereotypes. We have seen sex discrimination that includes sexual harassment in our schools and in the workplace, dating violence, and sex-based stalking. Such sexual harassment and discrimination often leads to higher rates of depression, anxiety, and suicide attempts for the women affected and can lead to higher rates of dropping out of school.

Congress responded, in part, by passing the Violence Against Women Act in 1994 and recently reauthorizing it and strengthening it in 2022.

Title IX is certainly responsible for much of the progress women have made in the last half a century. Today, women earn nearly 60 percent of the doctoral, master's, bachelor's, and associate degrees conferred in this Nation. A stubborn disparity still exists, however, with respect to women—and, in particular, women of color—earning science, technology, engineering, and math—STEM—degrees.

In terms of sports, we have seen an enormous increase in women and girls

participating in athletic activities, with more than a 1,000-percent increase in high school-level sports and a 600-percent increase in collegiate-level sports—an increase that helps them develop leadership and teamwork skills and, in some cases, earn athletic scholarships and become professional athletes.

In professions where women represent a majority of employees, women are still held back from obtaining leadership positions. For example, women represent more than three-quarters of the entire healthcare workforce, yet just 27 percent of chief executive officer positions in our hospital systems.

Looking at title IX progress and the road ahead, the National Coalition for Women and Girls in Education, the National Women's Law Center, and others recently released a report, "Title IX at 50." The report takes a look at title IX's impact over the last half a century, celebrating the significant progress to end sex discrimination in education while recognizing the work that remains to be done.

Let me quote from that report:

Despite the tremendous progress towards gender equity in the last 50 years, students today continue to be deprived of their education because of sex discrimination. . . . Schools are not adequately protecting students from sexual harassment, sex- and race-based discipline, and discrimination based on their sexual orientation, gender identity, or pregnancy or parenting status. Twenty percent of girls have been victims of sexual assault or attempted sexual assault while in high school, and 1 in 5 women and 1 in 4 transgender or gender nonconforming students are sexually assaulted on college campuses.

Women and girls and LGBTQI+ students continue to face sex discrimination in athletics, in STEM and [career and technical education] programs, and in sex-segregated classrooms and schools.

We still have progress that we need to achieve.

I support the U.S. Department of Education's effort to undo the Trump administration's weakening of civil rights protections for student survivors and to ensure the protection of the LGBTQ community and students in the face of mounting violent threats, hateful rhetoric, and cruel attacks from State officials.

As the Women's Law Center commented recently on the enhanced title IX protections:

We urge the swift release of a robust proposed rule by the Department of Education by the 50th anniversary of Title IX on June 23, 2022. . . . Students are protesting across the country, demanding that their schools meaningfully address sex-based harassment; they are in desperate need of Title IX's full protections. The proposed rule is critical to begin the regulatory process for undoing the harmful changes made to the Title IX rule in 2020 [by the Trump administration] . . . and to address mounting threats to LGBTQI+ students and school communities. While sex-based harassment in schools remains pervasive, the 2020 Rule pushes schools to ignore many instances of sex-based harassment, leaving scores of survivors without recourse . . . [which] are harmful to student survivors, [and] deter reporting. These harms

especially fall on women and girls of color, disabled survivors, LGBTQI+ survivors, and pregnant and parenting survivors, all who face stereotypes casting them as less credible when they report sexual misconduct.

As I said, we still have a road ahead of us.

Let me close by saying that when it comes to equality for women in our laws and Constitution, there should be no deadline on equality. Most Americans already think the Equal Rights Amendment is part of our Constitution. The needed 38 States have completed their legal ratification. We now need to remove any ambiguity and finally complete the ratification of the 28th amendment to our Constitution.

I have introduced bipartisan legislation with Senator MURKOWSKI, S.J. Res. 1, which would rescind the ERA arbitrary ratification deadline. The House has passed this legislation, and it has 51 cosponsors in the Senate.

After the Equal Rights Amendment itself was first passed by the Senate in 1972, Congress changed the 7-year deadline to 10 years, setting a precedent for such activity and authority. There is no deadline in the ERA itself. Legal enactment of the Equal Rights Amendment to the Constitution should take place 2 years after two-thirds of the House and Senate and three-fourths of the States ratify. Nevada ratified the ERA in March of 2017; Illinois, in May of 2018; and Virginia, the 38th State, in January of 2020.

Article V of the Constitution contains no time limits for the ratification of amendments. The States finally ratified the 27th Amendment in 1992 regarding congressional pay raises more than 200 years after Congress proposed it in 1789 as part of the original Bill of Rights. That amendment is now part of our Constitution. The ERA time limit was contained in a joint resolution, not the actual text of the amendment.

The ERA would simply provide that "equality of rights under law shall not be denied or abridged by the United States or any State on account of sex." The amendment also provides that "Congress shall have the power to enforce, by appropriate legislation, the provisions of this article."

Just like with title IX, women are not asking for privileges; they are simply asking to be treated equally under the law and to be afforded the same legal rights as men under the law.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. CARDIN. Madam President, I ask unanimous consent that the Senate vote at 6 p.m. on the motion to discharge the nomination of Hernan D.

Vera to be United States District Judge for the Central District of California.

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

Mr. CARDIN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

UNANIMOUS CONSENT REQUEST—S. 4261

Mr. LEE. Madam President, I return to the floor of the Senate again today to ask that this body take immediate action—action needed—to address our Nation's massive baby formula shortage.

For months, American moms and dads have been scouring supermarkets and drugstores looking for baby formula. Anxiety-ridden parents are frantically checking online stores and pleading with family and friends, trying to figure out how to ship, purchase, and otherwise procure baby formula.

Still, some families must hospitalize their babies because they can't find formula. Yes, they are hospitalizing them for that reason alone.

Inexcusably, the crisis has only gotten worse. In May alone, reports show that the out-of-stock rate jumped from 43 percent to a staggering 73 percent nationally.

In Utah, my State—the State with the largest families, the most children per capita, and the highest birthrate in the Nation—reports show that out-of-stock rate to be as high as 88.9 percent.

Desperate parents are now resorting to places like Facebook Marketplace, buying from unknown sellers at exorbitant markups. The failure of the Biden administration's photo-op policy has not so much as put a dent—even a tiny dent—in this problem.

Now, initially, the White House said that parents should “ask your pediatrician, who may have formula samples or possible alternatives,” as if that were somehow a solution.

This hollow nonresponse was embarrassing enough, but, tragically, the administration's response has not improved with time, in the time that has passed since that statement was made. When the question came up again, the White House press secretary spent nearly 20 seconds flipping through a binder, only to respond with: “I don't have anything new.”

That response is simply unacceptable. It is unacceptable for the American people generally and especially for those families dealing with this inexplicably, needlessly prolonged crisis.

By failing to act, we are leaving parents in an unimaginable situation during one of the most stressful and impactful times of life. Worse, they have received no discernible answers

from their elected officials. The White House's website lays the blame solely on Abbott's plant closure in Michigan “due to safety concerns from the FDA.”

Now, this is a very limited, narrow line of thinking. The FDA regularly recalls other food products, but none of those recalls happens to result in shortages of this magnitude or this significance with such weighty consequences on the youngest of Americans.

Look, it doesn't have to be this way. There are a lot of weighty problems that we address in the U.S. Senate that are seemingly unsolvable, intractable, or, at least, very, very difficult to solve because they involve things that very often are beyond our ability to control.

This is not one of those problems. This is within our grasp. It is within our control. In fact, the government is the problem. Government caused it, and by turning certain levers, government can relieve this problem and do so in a very short period of time. This suffering is unnecessarily being prolonged by the government itself.

So the Senate can help these families, these American families struggling with this crisis, by immediately passing my bill called the FORMULA Act.

This bill responds to the crisis in three simple ways to help solve the crisis at hand and feed American babies.

First, my bill would suspend tariff collection on currently allowed formula imports. We tax imported formula at a rate of at least 17.5 percent upon entering the United States. It can roughly double to about 35 percent, depending on the circumstances of the shipment. We can help ease the skyrocketing prices and encourage companies to import as much baby formula as possible or as much as demand within the market requires by simply suspending for a period of 6 months this tariff collection.

Look, the administration has acknowledged there are appropriate times to suspend the collection of certain taxes. For example, it is currently proposing suspending the gasoline tax for a period of 3 months. Surely, it is not the Biden White House's position that gasoline is more important than feeding infants.

Second, my bill would temporarily allow formula imports from several safe countries like those in Europe. This would enable us to access plentiful formula supplies from abroad and meet our current needs with that.

Now, allowing these imports is not going to endanger American babies. The manufacturing plants in question are already approved and are already regulated by their home countries. And the only plants that operate in countries and subject to authorities that are comparable to those imposed by our own Food and Drug Administration, these are countries from which we already import pharmaceutical products.

The fact is that parents have already begun taking matters into their own hands, often with dire consequences. We are hearing reports of parents resorting to online homemade recipes for formula that they then feed to their infants. Infant hospitalizations due to malnutrition are correspondingly increasing as a direct result of these activities and the shortages from which they stem.

Doctors have voiced their concerns that homemade formulas can lead to liver and kidney issues and, in some cases, even heart failure. Some families have tried diluting the formula that they are able to access with more water, a tactic that health experts warn can lead to brain swelling and organ failure.

Some doctors refer to this shortage as “the worst crisis they have experienced in their careers.” They have to place dehydrated children on IV fluids, which isn't, of course, a long-term solution; it is an acute and dire response to a life-threatening emergency brought about through an artificial government constraint on the market. These short-term consequences are scary enough. They are scary enough for the moms and dads, to say nothing of the horrors the children, the infants, experience in the process. We still don't know what the long-term effects of these might be to the babies.

Those worried about the formula quality may find solace in the fact that my bill retains the FDA's authority to recall foreign formulas in the very unlikely event that these safety issues arise. Remember, these are formulas produced in facilities in countries from which we already import pharmaceutical products based on our country's trust and confidence that their safety and quality standards are as secure as, if not more stringent than, our own.

Additionally, my bill only calls for importing formula that is lawfully marketed and approved in select foreign countries. Again, private citizens are already doing this. The law already allows the personal importation of baby formula, meaning somebody can jump online and order it on their own, and parents are voluntarily choosing to do so because they have done the research and they trust that it is safe for their baby.

They understand, as we do, that babies in France and Switzerland and of the United Kingdom are not different than babies in the United States of America. Formula that works for them, that is safe and healthy for them, is proven safe and healthy and effective for them for many, many decades is also going to work with respect to an American baby. My bill would just make this easier and more affordable for parents, you see, because to be one of those parents, you have got to have a degree of sophistication to know what you are looking for. Most people aren't really aware of the fact that they could jump online and order this.

Secondly, it is really expensive to do it. They can't buy in bulk, and it requires extra shipping and handling costs that makes this prohibitively expensive for many people, even the lucky ones who become aware that it is even an option.

So my bill isn't making something legal that is currently illegal in that respect; it is simply making it more affordable. It is making it so that we no longer limit access to these foreign formulas—foreign top-quality formulas from places like France and Switzerland and the United Kingdom. They will be available to poor and middle-class families, and not just the wealthy.

Finally, my bill would allow WIC program recipients to buy whatever brand of formula is available with WIC vouchers. My bill will allow these parents to buy from available stock and feed their children and guarantees greater flexibility.

You see, the existing formula crisis has been exacerbated by virtue of the fact that the WIC formula—the WIC beneficiaries are given a voucher. Very often, that voucher limits them to procuring only that brand of formula specified on the voucher itself, which, in many instances, might be out of stock. This would eliminate that problem.

Keeping American infants fed should be one of the least controversial proposals imaginable, especially because this is something that can be done easily. We can bring about almost immediate relief to these American parents and especially to their babies, just by not causing the problem anymore or, at least, waiting for a few months before causing this problem again.

In the meantime, the hope and the expectation is that the American formula industry can retool, revamp, and get back in the practice of producing in sufficient quantities that they will be able to meet the demand, but we need 6 months in order to do that.

American babies are going hungry and the Federal Government is the problem. The Federal Government is causing these babies to starve and otherwise suffer.

My FORMULA Act will help solve the formula crisis and ensure that American babies do not go unfed.

Look, there is a reason why we see this crisis here, but not in any of our neighbor countries, not in any of our peer countries. No, the crisis exists here because this is a feature of U.S. law. We can fix this problem. We can help solve this crisis today. We can make sure Americans babies' cries do not go unanswered. We can and must pass my FORMULA Act.

So, as if in legislative session, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 372, S. 4261; that the bill be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Pennsylvania.

Mr. CASEY. Madam President, I rise to object to the Senator from Utah's request.

I understand his concern and the concern of the people in both parties, both sides of the aisle here in the Senate, to take action on this infant formula challenge that so many families are suffering through right now. The unfortunate part about this proposal is that this will put babies at risk in ways that we don't even fully understand right now.

There is bipartisan concern, and the evidence for that is the action of committees—bipartisan work in several committees, including the Agriculture Committee as well as the Health, Education, Labor, and Pensions Committee—bipartisan work to meet this crisis. And the focus of that work has been to get formula on shelves as soon as possible.

It is important to remember how our Nation's formula crisis began. Abbott's recall—the manufacturer—the recall and the closure came after as many as nine infants died from contaminated formula. That is how this started, contaminated formula.

Now, we can and we should get to the bottom of the abject failures that led to contaminated formula hitting the shelves. I have been working on this for months—many months before this crisis came to a head—but we can't forget our top priority here when it comes to protecting infants. We have got to keep our Nation's most vulnerable, these infants, safe.

And it is pretty clear that the Food and Drug Administration bears responsibility for dropping the ball in so many ways in terms of inspections, but still, even despite that failure, the FDA standards are the best in the world.

As I mentioned, the Agriculture and HELP Committees have already done bipartisan work. And I think when you saw the hearings that took place, especially in the Health, Education, Labor, and Pensions Committee, there was bipartisan condemnation of the Food and Drug Administration and bipartisan calls for accountability at the Food and Drug Administration. And they should be hit very hard in terms of the accountability that should be imposed and must be imposed on the FDA. Unfortunately, this bill will completely disregard the FDA standards for safety which would put our children at risk.

I would also mention the HELP Committee's work marking up a bill last week, an FDA bill, with amendments allowing importation during the shortage with appropriate guardrails to ensure formula is safe for our Nation's infants. These bipartisan amendments represent a more appropriate path forward than this approach today to limit the FDA's ability to protect our infants.

Now is not the time to completely abandon safety standards. We need to do everything we can to get formula back on shelves, but we can't compromise safety at any cost.

Here are just some examples. Go to the FDA's website under the Food and Drug Administration's Center for Food Safety and Applied Nutrition. Here are a few examples from their database.

In July 2016, a 4-week-old baby in the United States was fed a stage 1 infant milk product approved in nearly all the countries described in the Senator's bill but not in the United States. After consuming the formula, the baby experienced diarrhea, fever, vomiting, and lethargy. The baby ended up in the emergency room where he was diagnosed with a salmonella infection.

Second example, January 2017: A 1-month-old baby was similarly poisoned by a product approved by the countries in this bill but not legally marketed in the United States, and that baby began vomiting.

In January 2019, a 5-month-old began experiencing upper abdominal pain and diarrhea after consuming another such product. That is just a small example.

These concerns are why the American Academy of Pediatrics for years has warned against importing formula from Europe. The Academy has published articles highlighting the dangers of buying imported baby formulas and advising against doing so. So despite all this, the Senator and others want to go forward with this bill.

Here is the good news—the only good news in the short run. Here is the good news. We don't have to compromise safety standards to increase the supply.

We already know that the administration's Operation Fly Formula is bringing formula into the United States at a pretty rapid clip—32 flights, 19 million 8-ounce bottle equivalents of formula. That is not the end of it. The FDA right now is using enforcement discretion to allow the importation of additional select formula through normal distribution channels, bolstering the domestic supply of safe and nutritious formula by over 220 million 8-ounce bottle equivalents. Add the two of them together, and you have almost 240 million bottles, many of which have already been imported safely.

The administration is also taking other steps to increase formula production domestically by invoking the Defense Production Act to prioritize critical ingredients and manufacturing supplies for infant formula production.

So steps are being taken, but we cannot—when we are invoking these powers of the executive branch or enacting legislation, we cannot compromise on safety. We have to have the highest safety standards in the world, which we do, and we have got to make sure that we adhere to those safety standards.

So I object.

The PRESIDING OFFICER (Mr. OSSOFF). Objection is heard.

The Senator from Utah.

Mr. LEE. Mr. President, I appreciate the insight and the always thoughtful counsel of my distinguished friend and colleague, the Senator from Pennsylvania. I always enjoy working with

him. He is a voice of reason and is a delight to work with.

I do feel compelled to respond to a few of his points. Now, yes, it is true, there are ambitious plans to fly formula over. They used the Defense Production Act to do that, to have the government to act. And the ambitious plans that he describes have yet to materialize. What we have to look at is the bottles that are available now, that have been flown over now, that are here now as a result of that program, is about 13 million bottles. Do you know what the average daily consumption of formula is in America? Nine million. So this buys us a day and a half of formula—a day and a half—and it is still not solving the problem. So that is not a solution.

As to the objection related to the FDA's regs, he points to the safety concerns and highlights a few adverse incident reports not necessarily linked to the formula itself but things that people experienced as they were switching formulas. A lot of the symptoms that he described—all of them, in fact, as I understand it—including lethargy, diarrhea, and some of those have been linked to babies switching formula. So, yes, when a baby switches formula, whether it is from one American brand to another or an American brand to a European brand, it is not uncommon during this transition period for babies to react that way.

Now, I wish—we wish—that it wasn't necessary for them to switch to begin with. This was unnecessary to make them switch. In fact, another point that I need to refute that he made at the outset about formula being responsible for the contamination, for the food-borne illness, it was, in fact, not the formula itself that caused it. In fact, an FDA investigation revealed that it wasn't the formula. It was a source of bottled water that had itself been contaminated, and it was that bottled water that the parents were mixing with the formula that turned out to be contaminated, by no fault of their own but also by no fault of the manufacturer. So we have got to keep straight exactly what happened here and what didn't happen.

Finally, with regard to the safety risks, I understand this, and it is important that we be safe in doing this. We have to remember these are countries from which we currently import pharmaceutical products because we trust that their equivalent of the FDA is safe and is effective. So if we don't trust them with respect to baby formula, I would submit that we shouldn't trust them elsewhere. But in fact, we can trust them in these areas. None of those adverse incident reports that were reported, to my knowledge, have been linked to a defect or a contamination in the formula itself.

Finally, it is important to remember that we have a massive health crisis faced by these babies who are unable to get formula. Children are being hospitalized because they are dehydrated.

These can have lasting consequences. They are occurring at a time when the baby's brain development is on a very critical timeline. You don't want to interrupt that. You don't want a supply chain disruption to lead to a disruption in the baby's developmental growth.

So it is unfortunate that my friend and distinguished colleague, the Senator from Pennsylvania, has objected to this very reasonable, rational, sensible response that lists the government's impediments. I wish this were not the case because this would deliver meaningful reform, unlike the 13 million bottles—the day and a half's worth of formula that has been brought over to date through the Defense Production Act efforts that he described—this would actually solve the problem. And it would solve it for at least 6 months, long enough for our domestic production capabilities to resume.

So it is unfortunate. I wish that were not the case. But in the spirit of comity and compromise, I will modify my request.

Again, the FORMULA Act would have included these three legs, a regulatory component lifting the regulatory restrictions, an import tariff restriction, and also lifting some restrictions in the WIC Program.

So I am going to counteroffer with another amendment that would remove the waiver of the FDA regulations for the imported formula. That, after all, is the concern he expressed, and so that should allow us to deal with it. It would keep the tariff and the WIC waivers from the FORMULA Act intact and therefore shouldn't raise any concerns not addressed by my friend and distinguished colleague.

And so, Mr. President, as if in legislative session, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 372, S. 4261; further, I ask that the Lee substitute amendment at the desk be considered and agreed to; that the bill, as amended, be considered read a third time and passed, and that the motions to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Pennsylvania.

Mr. CASEY. Mr. President, I object.

Let me walk through why. My friend from Utah, in the spirit to try to work something out here, is offering a counterproposal.

The problem that I have with this is the amendment—now we are talking about the Department of Agriculture, which plays a role here. I will get to that in a moment.

But in this case, the amendment would direct this Agency, the Department of Agriculture, to allow formula to be included in the Women, Infants, and Children's nutrition program that does not meet USDA standards. So now, we have a concern that I initially raised about FDA standards. Now, we have USDA standards for safety and nutritional adequacy.

I would also add that this amendment is unnecessary because of action that was taken by the leaders of the Committee on Agriculture, Nutrition, and Forestry. That committee passed a bipartisan bill, the Access to Baby Formula Act, that the President just signed into law. This already provides the Agency, the U.S. Department of Agriculture, with the discretion it needs to expand the products available to WIC parents and babies—right now that is the law—while also continuing to meet those high nutritional needs of the babies.

So, again, the concerns here are standards—safety standards—for those infants.

The PRESIDING OFFICER. The objection is heard.

The Senator from Utah.

Mr. LEE. Mr. President, I find this, too, unfortunate. I wish we could adopt all three of these reforms; again, we have a regulatory reform, an import tax reform, and a WIC reform. He has now expressed objections to the regulatory reform and the WIC reform.

So, in the spirit of comity and cooperation and compromise, I would like to modify again, and I will take out the WIC restrictions—the WIC component of the bill—and leave only the tariff waiver. That, at least, would remove some of the protectionist problems that we have got in place that is currently prohibiting people from being able to import this stuff, leaving it available really only to wealthy, well-connected parents who know how to find this stuff and can pay the higher price for it. This would at least allow people to buy it in stores if we could lift that restriction and do so in larger quantities while adhering to the labeling and other regulatory requirements.

So, Mr. President, as if in legislative session, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 372, S. 4261; further, I ask that the Lee substitute amendment at the desk be considered and agreed to; that the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Pennsylvania.

Mr. CASEY. Mr. President, I object, in this case, on much more limited grounds. Here is the reason: The Senator from Utah is trying to work something out here, and we appreciate that.

The Democratic side has not had the opportunity yet to review this amendment so we would seek, in the interest of comity, more time to review it. And on that basis, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Utah.

Mr. LEE. Mr. President, I find it most unfortunate that, as American babies are starving and are literally being admitted to hospitals for dehydration and malnutrition because of a

government-created problem, we can't get to a solution here.

I am determined to find one, and I am determined not to take no for an answer. We have to get to yes on that. To that end, I would like to modify my last request and shorten it down from 180 days—a 6-month suspension—to a 90-day suspension. This is the exact timeframe that mirrors the Biden administration's proposed time window for gas tax alleviation. The President has raised this and has asked us to act on that immediately. Look, I happen to think baby formula is a whole lot more important and urgent than gasoline. We can at least do this. So I am going to modify my request to move it down to just 90 days. We should be able to do that for 90 days. I am certain that we can.

Mr. President, as if in legislative session, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 372, S. 4261; further, that the Lee substitute amendment at the desk be considered and agreed to; that the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Pennsylvania.

Mr. CASEY. Mr. President, I object for the same narrow reason, which is that the Democratic side has not had the opportunity to review this amendment. We will do that on both this amendment and the prior amendment and see where we are. On that basis, I object.

I will also add for the record, on the debate overall, I think my friend is expressing a real concern that both sides have. It is not as if we just arrived here today to start talking about this issue. As I have said for months now, the Health, Education, Labor, and Pensions Committee, in a bipartisan way, and the Committee on Agriculture, Nutrition, and Forestry, in a bipartisan way, have been working on these issues. So to suggest that somehow the debate just started today and that neither side is doing enough, I think is not accurate. Both sides are concerned about this. Both Houses and both parties are very concerned about it. It is a real crisis. The FDA should be held accountable. As I said earlier, it should be hit hard for this, but we can't compromise safety standards, and that is the reason for my objection.

The PRESIDING OFFICER. The objection is heard.

The Senator from Utah.

Mr. LEE. Mr. President, I appreciate the thoughts expressed by my friend and distinguished colleague, the Senator from Pennsylvania. I share this concern and this desire to see this worked out and worked out on a bipartisan basis. I think it is important.

It is true that people have been working on it. They have been working on it now for the better part of a month and

a half. Yet nothing has happened. Now, I understand that Rome wasn't built in a day. Significant legislative reforms are not usually enacted very quickly. Well, they are in some places, and we are experiencing some of that this week, but that is a different issue altogether. I understand that it takes time, on many occasions, to develop a legislative solution. This is not one of those issues. This is just not that complicated.

I appreciate the fact that people are considering it. I appreciate the fact that my friend and colleague, the Senator from Pennsylvania, is willing to try to clear this on the Democratic side. I hope and expect that one of the four alternatives that I have proposed today—each in the spirit of comity and compromise and as something that should be acceptable to both political parties—has got to get there.

There are issues on which we are always going to struggle to find solutions. This one isn't hard. We can do this. We can fix this. American babies are going hungry because of the mismanagement within our country.

Yes, I share the Senator's belief that we have got to hold the FDA accountable, but I feel like we are in the same position as the unarmed English bobby—but with the FDA lately. The unarmed English bobby, being unarmed and upon seeing the commission of a crime, shouts, in a charming British accent, "Stop or I will yell 'stop' again." We need to actually do something to force this issue because people are going hungry—babies are going hungry—and there are dire, long-lasting consequences.

I hope and expect that we will solve this before the end of the week. This issue is not going away, and neither am I.

The PRESIDING OFFICER. The Senator from Oregon.

UNANIMOUS CONSENT REQUEST—S. 1658

Mr. MERKLEY. Mr. President, I ask unanimous consent for us to take 5 minutes to address the PUMP for Nursing Mothers Act.

The PRESIDING OFFICER. Is there objection?

Mr. MERKLEY. Mr. President, it was 10 years ago that we all got together and passed a bill to help women, when they go back to work, to be able to pump breast milk at work. We have 80 percent of women who are having babies today striving to breastfeed. Half of the women who have babies are going back to work within a very short period of time, and the only way they can breastfeed is to pump milk at work. This was a beautiful, bipartisan vision, and it was Dr. Coburn who educated us all about the tremendous benefits of breast milk for babies.

But, in that work we did 10 years ago, we left out a significant group of women in America—those who work according to a manager's salary rather than according to wage. So now we have a bill that has come out of committee, by voice vote, to fix that, and

here we are talking about baby formula.

Truly, what is better, in terms of baby formula, than a mother's milk?

Let us stand with the babies; let us stand with the mothers; let us stand with the families and fix this so that every single mother in America who wishes to breastfeed can do so.

As if in legislative session, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 65, S. 1658; further, that the committee-reported substitute be withdrawn and that the Merkley substitute amendment at the desk be considered and agreed to; that the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Wyoming.

Ms. LUMMIS. Mr. President, in reserving the right to object, the PUMP Act is noble in nature, but it is an economy-sized approach without flexibilities for some nonstationary workplaces.

This legislation would require that all modes of transportation that have employees, including railcars, be retrofitted with private, non-bathroom enclosures to allow for breastfeeding. It would also require employees reasonable break time for an employee to express breast milk.

To be clear, I recognize the need for breastfeeding women to do just that. However, many women in this industry are quite literally keeping the trains running on time. Entire supply chains could be disrupted because of an overly broad and burdensome regulation that is not crafted to fit this industry. I can't believe I am the only one who sees the pitfalls in this. Regulations like this risk inadvertently doing more harm to working women than helping them.

I understand what it is like to juggle the need to feed your child while also working to provide for them. My daughter is working while raising two little boys.

This whole thing just makes no sense. That is why I am working on an amendment that would recognize the unique situation that working moms in the transportation sector face. It is my hope we can work with the bill's sponsors to solve this small issue. Until that time, we don't need to exacerbate our supply chain crisis by implementing regulations that do not actually protect or aid women in this industry.

For that reason, I object.

The PRESIDING OFFICER. The objection is heard.

The Senator from Oregon.

Mr. MERKLEY. Mr. President, a huge thanks to my colleague from Alaska, Senator MURKOWSKI, who has partnered with me in this effort.

We have worked through the flexibility needed in every setting, and I

must say the railroads weren't the folks who came to us and said they needed help. In the past, we worked out every possible way to address this for fast-food locations and for all kinds of industries that said, "We need special arrangements," and we worked them out. We have worked them out in this version for the airlines.

It really is beyond the world of reasonableness to keep saying and to keep finding some excuse that we can't—with the innovation, the inventiveness, and the ingenuity of Americans—find the ability for a woman to be able to express breast milk. We have solved this problem in much more difficult situations. I am very disappointed that, today, because of my colleague from Wyoming's objection, the women, the mothers, the babies, and the families, lose. Let's win next time.

VOTE ON MOTION TO DISCHARGE

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

The yeas and nays have been previously ordered.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from North Dakota (Mr. CRAMER), the Senator from Alabama (Mr. SHELBY), and the Senator from Pennsylvania (Mr. TOOMEY).

The result was announced—yeas 50, nays 47, as follows:

[Rollcall Vote No. 238 Ex.]

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—47

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

NOT VOTING—3

Cramer	Shelby	Toomey
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The motion was agreed to.

The PRESIDING OFFICER (Mr. KELLY). The majority leader.

MOTION TO DISCHARGE

Mr. SCHUMER. Pursuant to S. Res. 27, the Committee on the Judiciary being tied on the question of reporting, I move to discharge the Committee on the Judiciary from further consideration of Jessica G.L. Clarke, of New York, to be United States District Judge for the Southern District of New York.

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. I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, I rise now for the 284th time with my increasingly tattered and battered "Time to Wake up" poster to urge this Chamber to wake up on the issue of climate change.

Human beings dumped 36.3 billion tons of greenhouse gases into the atmosphere last year—last year. After all our big talk, after all the plans and the COPs and the commitments, 36.3 billion tons. That is the highest total ever recorded. We are not doing any better. We continue to do worse, and here in Congress, we continue to do nothing. We have seen this coming for many years. And even with all that warning, nothing.

NOAA reports there is currently more carbon dioxide in the atmosphere now than at any time during the last 4 million years. Humankind has never experienced what we are putting ourselves through.

Here is a look at it. Over centuries, wobbling, wobbling, back and forth quite steadily. And now—whoops—and all the way up to where we are, out of the historic range of this planet back into geological time.

All that carbon pollution has us hurtling toward climate catastrophe. With every ton of carbon dioxide we add, comes a higher risk of destructive changes to our world: ever-stronger hurricanes, rising seas, severe droughts, flooding, heat waves, disease, hunger, and more. We have a simple choice: We act swiftly to address the carbon pollution scorching our planet or we tip our climate over the edge into a cycle of destruction mankind cannot halt.

As we disrupt essential planetary operating systems, we face another problem: American deindustrialization and the offshoring of jobs in much of our manufacturing base.

After China joined the World Trade Organization back here in 2001, the

United States lost almost 6 million manufacturing jobs. It was a complete bloodbath. Communities across America were hollowed out as factories closed and workers were laid off losing union jobs that helped workers support their families and enjoy a good wage and a decent standard of living.

Our trade deficit blew up, especially for manufactured goods. In 2001, our trade deficit in manufactured goods topped \$250 billion. By 2020, it had more than tripled to almost \$900 billion.

Then came the COVID-19 pandemic and exposed the fact that we no longer make so much upon which modern life depends. First it was the masks and the protective gear for medical professionals on the frontlines; then shortages came to everything from patio furniture to auto computer chips, bicycles, garage doors, and much more.

Well, what if—what if—it turned out there was a solution to both problems, a policy that would simultaneously drive down carbon pollution worldwide and help reshape American manufacturing? Well, it turns out there is such a solution, and it is called a carbon border adjustment. With Senators COONS, SCHATZ, and HEINRICH, I have introduced one here in the Senate.

The fact is that American manufacturers are way less carbon-intensive than other competitors. On average, we are nearly 50-percent less carbon-intensive than our trading partners.

Here is a list of some of our majors: China, 3.2 times more efficient; Mexico, 1.4 times more efficient; India, 3.8 times more efficient. So if we level the playing field about carbon emissions economy to economy, we win against carbon-intensive nations like China and India. And that is fair. A steel plant in Shanghai shouldn't be able to pollute for free and undercut plants in Pittsburgh that make better steel with less pollution. My border adjustment fixes that problem. Carbon-polluting goods from abroad, fossil fuels, refined petroleum products, petrochemicals, fertilizer, cement, steel would be tariffed on the carbon intensity of their industries. This means that if you are a carbon-intensive cement factory in Mexico, you pay or you invest in technologies to lower your carbon intensity to match that cleaner plant across the border in Texas.

That is a powerful incentive to reduce global emissions and a big boost to U.S. companies competing against foreign climate cheaters.

The tariff revenues fund a competitive grant program for carbon-emitting U.S. industries to help them invest in the new technologies necessary to reduce their own carbon intensities.

Developing countries didn't get us into this mess, and they are getting clobbered by climate change, so we also direct some revenue to the State Department to support decarbonization projects in those countries.

To make this work, we need to hold American companies to the same standard as we do overseas, so we set