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## Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. LEAHY).

### PRAYER

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

Let us pray.

Eternal God, who saves us, we praise the greatness of Your power. Continue to be with those who must deal with the consequences of Hurricane Ian.

Continue also to bless our Senators. Keep them on the path of humility so that they will seek to serve others. Keep them on the path of forgiveness so that they will give others the same kind of mercy they so frequently receive from You. Keep them on the path of courage so that they will choose the challenging and narrow way that leads to life.

Lord, bless us all, as we strive to walk with an integrity that will honor You.

We pray in Your loving Name. Amen.

### PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### RESERVATION OF LEADER TIME

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

### CONCLUSION OF MORNING BUSINESS

The PRESIDENT pro tempore. Morning business is closed.

### LEGISLATIVE SESSION

#### AFFORDABLE INSULIN NOW ACT— Resumed

The PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 6833, which the clerk will report.

The bill clerk read as follows:

A bill (H.R. 6833) to amend title XXVII of the Public Health Service Act, the Internal Revenue Code of 1986, and the Employee Retirement Income Security Act of 1974 to establish requirements with respect to cost-sharing for certain insulin products, and for other purposes.

Pending:

Schumer amendment No. 5745, in the nature of a substitute.

Schumer amendment No. 6030 (to amendment No. 5745), to add an effective date.

Schumer motion to commit the bill to the Committee on Appropriations, with instructions, Schumer amendment No. 6031, to add an effective date.

Schumer amendment No. 6032 (to the instructions) amendment No. 6031, to modify the effective date.

The PRESIDING OFFICER (Ms. ROSEN). The Senator from Vermont.

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 Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### RECOGNITION OF THE MAJORITY LEADER

The majority leader is recognized.

#### HURRICANE IAN

Mr. SCHUMER. Madam President, this morning, the thoughts of everyone in the Senate are with the people of Florida, who are in the midst of one of the worst storms ever to hit the State, as Hurricane Ian made landfall yesterday.

Ian made landfall as a category 4 hurricane, with wind speeds reaching

150 miles an hour and storm surges reaching reported heights of 18 feet. About 2 million people are now without power, and communities that dot the coastline are seeing 3 to 4 feet of flooding.

Thankfully, Ian was downgraded to a tropical storm this morning, but the damage has already been severe, and the road to recovery will be long.

I will continue to monitor the situation in Florida over the coming days, and the Senate stands ready to help Floridians with whatever they need to stay safe and rebuild their communities.

I want to thank all the first responders, National Guardsmen, and local officials, volunteers, and every single person who placed themselves in harm's way to keep their communities safe.

#### H.R. 6833

Madam President, now on CR funding, with a little more good-faith negotiation between Democrats and Republicans, I am hopeful that today is the day we will finish passing a continuing resolution to fund the government until mid-December. Government funding is set to run out Friday at midnight, roughly 40 hours from now, and there is no reason at all for us to get anywhere near that deadline.

Over the past 24 hours, both sides have continued holding fruitful negotiations to reach the finish line. We have some more work to do, a little more, but we are close—close enough that I hope we can finish up today, but both sides need to keep working together for that to happen.

I urge both sides to keep going because this CR is filled with many good things that both sides can support, like \$12 billion in emergency aid for Ukraine, to help Ukrainians with more weapons, intelligence gathering, and aid to keep the government afloat at a time of war. Seven months since the conflict began, it is crystal clear that American assistance has gone a long

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



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way to helping the Ukrainian people resist Putin's evil, vicious aggression. But the fight is far from over, and we must—we must—continue helping the brave, valiant Ukrainian people.

The CR also includes items like emergency aid to help communities across the country hammered by natural disasters, including flooding in States like Kentucky, Louisiana, Alabama, and Texas, as well as disasters in Alaska, Puerto Rico, and New Mexico, which suffered—New Mexico suffered its worst wildfires in the State's history earlier this year.

Through the CR, we will also reauthorize FDA user fees for another 5 years, which is vital if we want to avoid any slowdown in the review of new lifesaving drugs and medical devices that millions and millions of people rely on. Reauthorizing these user fees will also prevent thousands of hard-working FDA employees from being furloughed, many of whom are crucial for this lifesaving review process. Finally, by passing a CR, we will help millions of families afford their heating and utility bills over the winter by investing \$1 billion in the LIHEAP program.

I want to recognize Senator JACK REED and Senator MAGGIE HASSAN for making sure we included this funding in the CR, because thanks to their efforts many families will have a break this winter by lowering their utility bills.

In short, there is every reason in the world for both sides to get to yes on finalizing the CR before the end of today. Democrats will continue working with our Republican colleagues in good faith to find a path to the finish line.

I want to thank our terrific chair of the Appropriations Committee, Senator LEAHY, as well as Ranking Member SHELBY, for all of their hard work on the CR. I hope this is the last CR of Chairman LEAHY's illustrious career, because we are all hopeful that the omnibus will be the last funding bill we will do later this year.

I also want to thank all my colleagues on the committee who have worked day and night to avoid a shutdown, as well as their dedicated staffs. And I want to commend Senator SHELBY, who has worked with Senator LEAHY in a very cooperative way.

The last thing the American people need right now is a pointless government shutdown. I am optimistic that we are on track to avoid one, well before the funding deadline. I thank all my colleagues for their good work and cooperation, and I encourage them to keep going so that we can finish the work later today.

NOMINATION OF ARIANNA J. FREEMAN

Madam President, on another matter, the Senate will return to the consideration of another brilliant nominee to serve on the Federal Bench, Arianna Freeman, nominated to serve as circuit court judge for the Third Circuit.

Ms. Freeman is not only eminently qualified, but she is historic. She would

be the first-ever Black woman to sit on the Third Circuit, joining in the proud company of many Biden nominees who are helping to make the bench a more accurate reflection of our country. That is something all of us are proud of.

A graduate of Swarthmore and Yale, Ms. Freeman would join the bench after working with the Federal Community Defender Office for the Eastern District of Pennsylvania. She has dedicated her career to making sure all people, regardless of wealth or status, have equal representation before the law. I am confident that her perspective will be an asset to the Third Circuit, and I look forward to her confirmation later this morning.

#### SENATE ACCOMPLISHMENTS

Madam President, on our accomplishments in this Congress, finally, as Americans are set to go to the polls in little over a month, it is time to summarize the things that this Democratic majority has done in the past 2 years and make clear the options that face the American people in this election.

When Democrats assumed the majority in 2021, I promised the Senate would address the challenges our country faces, head on and without delay, not with timid solutions but with boldness and courage. Twenty months later, because of Democratic leadership, we have lifted our country out of crisis. We have a lot of work left to do, but let's take a look at some of the major accomplishments that passed through the Senate under this majority.

In the wake of the tragedies in Uvalde, Buffalo, and so many other shootings, we promised the time had come to break the grip of the NRA. So we passed the first gun safety bill America has seen in 30 years.

In the wake of high costs, dwindling tech jobs, and an emboldened Chinese Communist Party, we passed the CHIPS and Science Act to boost high-end manufacturing here in America, to turbocharge America's semiconductor industry, and to secure the largest down payment in scientific research in decades.

After years of veterans waiting around for help to treat their cancers, lung diseases, and other ailments caused by toxic exposure, often from burn pits, we passed the PACT Act and secured the largest expansion of veterans' health benefits in ages.

And, finally, in the face of high energy costs and soaring healthcare costs, as well as the ravages of climate change, Democrats passed a groundbreaking Inflation Reduction Act, which will lower people's energy bills, make prescription drugs more affordable, cap insulin costs for seniors on Medicare, and create millions of clean jobs for years to come through the largest green investments in American history—the largest green investments in American history. It will reduce the amount of carbon that goes into the atmosphere by 40 percent by

2030, a huge accomplishment that will make the lives of every American now and in the future better. Passing the Inflation Reduction Act, along with ratifying the Kigali Amendment last week, is the strongest one-two punch against climate change any Congress has ever taken.

I am very proud of my caucus for sticking together. With 50 votes, it ain't easy. And this is only what we have gotten done since June.

To save our country from the worst of COVID, we passed the American Rescue Plan to put shots in people's arms and checks in people's pockets. We passed the first infrastructure law in years to fix our roads, our bridges, our highways; to expand broadband to poor and rural communities; and to protect our kids from the dangers of lead piping.

We reformed our Postal Service after decades of neglect. We reinstated VAWA, the Violence Against Women Act, to protect women from abuse, after years of inaction. We took a stand on Asian hate crimes and declared lynching a Federal hate crime after a century of delay. We also unanimously ended forced arbitration for sexual harassment in the workplace. And we confirmed the first Black woman ever to sit on the Supreme Court of the United States when we confirmed Ketanji Brown Jackson.

Now, these are just some of the accomplishments of the Democratic majority. None have been easy in the longest 50-50 Senate ever, but I am confident that America will be a better nation because of all the things we have done in the last 2 years.

And the fight—the fight—will keep going. With every fiber of our being, Democrats will never back away from protecting a woman's fundamental right to choose. MAGA Republicans, meanwhile, pushing national abortion bans, prosecutions of women and doctors, and bans with no exceptions for rape or incest, show the contrast between the parties—one moving forward and one looking backward and following the MAGA dictates to the far, far right.

Democrats will also lower costs and build ladders to help people get into the middle class and give people the means to prosper in the middle class once they get there.

Republicans, meanwhile, have already made it clear whose corner they are in—the rich, the executive class, the megacorporations. Without missing a beat, Republicans gladly cut taxes for billionaires and for big business, while openly calling for Social Security and Medicare to go on the chopping block year after year. And for good measure, while Democrats want to keep taxes low for working and middle-class Americans, some on the other side have openly called for raising taxes—raising taxes—on working families.

So the contrast here is not hard to grasp. The choices between the parties run deep; the consequences to our

country, enormous. We have many challenges left to overcome as a nation, but the choice is now between the party that will build on all the progress we have made or one that will undo everything we have worked to accomplish, between a party that will protect our freedoms and a party that will conspire to take them away, between a party that believes America is at its best when we invest in all people or a party that will only look after the ultrarich.

Remember, their major accomplishment when they had the majority was tax cuts for the very wealthy. I am confident that Americans will know which party is fighting in their corner.

I want to thank all my colleagues for their excellent work over the past 2 years, and I look forward to building on all that work we have accomplished to set America on a path to prosperity in the 21st century.

#### ORDER OF BUSINESS

Madam President, for the information of the Senate, we expect to vote on the confirmation of the Freeman nomination to be United States Circuit Judge for the Third Circuit, upon reconsideration, at 11:30 a.m. today. Additional votes are expected this afternoon.

I yield the floor.

#### RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Republican leader is recognized.

#### HURRICANE IAN

Mr. MCCONNELL. Madam President, the whole country continues our vigil for the people of Florida, who are hunkered down through Hurricane Ian.

The storm's landfall yesterday brought surging seas and sustained winds over 150 miles an hour, and 2.5 million Florida families and businesses are reportedly without power. Evacuation orders have been in place for more than 2 million residents of the gulf coast.

The extent of the damage has barely even begun to come into focus. Fortunately, the coordinated State and local response, led by Governor DeSantis and supported by Federal Agencies, is ongoing.

Yesterday, our two colleagues from Florida led the State's entire congressional delegation in asking President Biden to issue a major disaster declaration and unlock further aid. I understand the President agreed this morning.

The Senate will stand ready to provide further assistance if needed. The government funding legislation before us will make sure the Disaster Relief Fund is refilled.

Most immediately, Floridians remain at the forefront of the nation's prayers.

#### THE ECONOMY

Madam President, now, on a completely different matter, families across America have felt the brunt of this all-Democratic government's failed energy policies. When gas prices were skyrocketing, the Biden adminis-

tration insisted up and down they had no control over them. When the prices started to level off, the same politicians asked for a round of applause—funny how that works.

Here is what working families in Kentucky know: that a gallon of gas costs a full dollar more than when President Biden took office. American families and small businesses know their electricity bills skyrocketed this spring and this summer, and they know that heating costs on Democrats' watch this fall and winter may well be catastrophic.

Just like our overall 13.2 percent inflation since January 2021 is directly—directly—traceable to Democrats' reckless spending, a lot of our energy prices are traceable to Democrats' shortsighted policies. Democrats have spent 20 years saying we shouldn't explore for American energy, that our abundant fossil fuel resources should actually stay in the ground.

Just in the last 2 years, Democrats overwhelmingly voted two separate items to let the Biden EPA ban fracking. One analysis showed that the kind of fracking ban Democrats want will quadruple household energy bills.

Democrats supported President Biden's de facto bans on both offshore and onshore oil and gas leasing. They backed President Biden's decision to cancel the Keystone XL Pipeline. I guess it is better to import Middle Eastern crude than safely transport oil from Canada.

They voted for reckless tax hikes, including a natural gas tax that will directly drive up families' heating costs.

And this week marks the 6-month anniversary of when President Biden began his reckless draining of our Strategic Petroleum Reserve in a desperate attempt to buy up his poll numbers. President Biden has already released more than 200 million barrels from the Reserve into the international market, more than all the other Presidents in our history combined. A few days ago, he promised to release an additional 10 million barrels in November.

Our country established the Strategic Petroleum Reserve as a lifeline for national security crises. Until now, Presidents had only ever tapped it for armed conflicts or natural disasters. Now Democrats are emptying out our emergency reserves in a desperate attempt to save their political skins. Reckless and cynical does not even begin to cover it.

Now the Reserve sits at its lowest point since 1984. If our country were cut off from oil imports tomorrow, we would have less than 2 months' supply.

And, remember, 2 years ago, in the early COVID crisis, when markets were temporarily crashing and oil was selling for bargain-basement prices like we have never seen, Republicans tried to refill the Strategic Petroleum Reserve to the top when the prices were low. It would have been a win for economic stability, a win for national security, and a huge win for taxpayers. Oil actu-

ally was on a clearance sale, and we could have filled the Reserve right up to the top.

Oh, but Senate Democrats blocked it and bragged about blocking it. Leader SCHUMER boasted in writing that he had blocked a "bailout for Big Oil"—a bailout for Big Oil, typical tired, old liberal rhetoric. But what our Democrat colleagues blocked was an unbelievably good deal for the American people. Now they are draining the Reserve they wouldn't let us refill, and when they do need to refill it, you had better believe taxpayers won't be paying March 2020 prices. I can tell you that.

Shortsighted, ineffective, and bad economics—that is Democrats' energy policy in microcosm. Working Americans pay the price every single day.

#### CRIME

Now, Madam President, on another matter, runaway inflation isn't the only crisis keeping American families up at night. The last 2 years have seen law and order deteriorate all across our country. Public safety has eroded, violent crimes like murders and carjackings are breaking records, and our southern border has turned into a turnstile.

We have seen the violence and chaos firsthand in Kentucky, especially in my hometown of Louisville, but we aren't alone. This is a nationwide phenomenon on Democrats' watch.

Philadelphia just saw their 1,000th carjacking this year. It is not even October yet. Carjackings in Philly have quadrupled just since 2019.

In Phoenix, AZ, the first half of this year saw homicides jump up more than 25 percent compared to 2021. One woman whose brother and cousin were both shot and killed a few weeks ago said:

It's like the community has [actually] become accustomed to it.

In 2021, Denver recorded more murders than they had seen in a single year since 1981, and the pace was 23 percent higher still in the first half of 2022.

Nationwide, robberies and thefts in big cities shot up 20 percent in the first half of this year.

So it turns out that, when an entire political party builds its brand around undermining the police, going easy on repeat offenders, and putting criminals' interests ahead of innocent families', bad things happen.

Bad things also happen when the same political party decides to stand down on border security: over 2 million illegal immigrants apprehended by the CBP this fiscal year alone, not even counting all of the people who evaded capture; an avalanche—an avalanche—of illegal drugs coming into our land.

These are massive concerns among the American people—concerns that our Senate Democratic majority has intentionally spent all year doing nothing whatsoever to address.

H.R. 6833

Madam President, on one final matter, when the Senate votes today to

fund the government, we will also approve further emergency aid for Ukraine.

The Ukrainians have made remarkable progress in pushing back Russia's unhinged aggression, but the fight is far from over. They need more of the cutting-edge weapons that are helping them turn the tide.

Assisting Ukraine is not some feel-good, symbolic gesture; it is literally an investment in our own national security and that of our allies. Blunting Putin's offensive in Ukraine will diminish his capacity to threaten other targets throughout the free world. It will also help deter other authoritarian regimes like China.

Nobody is saying America should stand alone. Some of our European allies, especially on NATO's eastern flank, have been incredibly generous, digging deep into their inventories and welcoming hundreds of thousands of refugees, but others can and must do more.

The Senate's consistent support for Ukraine at reasonable levels plays a critical part in nudging our allies to step up. Ukraine needs more tanks, more fighting vehicles, longer range rockets, artillery, and air defense systems; more HIMARS, more drones, and preparatory training in Western fighter aircraft. And they need these things as soon as possible.

Yesterday, the Biden administration announced another tranche of assistance, but the HIMARS rocket systems included in that announcement won't arrive in Ukraine for years—years.

If the administration cannot move faster, it will be an indictment of their persistent unwillingness to invest in our own military stockpiles and our own defense industrial base.

Now that Congress is providing more funding, the Biden administration must move more swiftly—more swiftly—to deliver it to the Ukrainian forces on the frontlines soon. Now is not the time for hesitating, hand-wringing, or self-detering from the administration. It is not true strength and resolve that provoke the bully; it is delay and weakness.

The PRESIDING OFFICER. The Senator from Indiana.

REMEMBERING MARK SOUDER

Mr. YOUNG. Madam President, I want to take a moment this morning to recognize a friend and fellow Hoosier, Mark Souder, who passed away earlier this week after a battle with cancer.

Mark represented, as so many Hoosiers know, northeastern Indiana in the U.S. House of Representatives from 1995 to 2010. He served eight terms. Before being elected to Congress, he spent years working as a staffer for Indiana Senator Dan Coats.

Anyone—anyone—who met Mark was struck by his intellect, his innate grasp of policy details, and perhaps most importantly, his passion for service, for serving Hoosiers in particular. You see, Mark loved northeast Indiana. He loved

his constituents. He loved the land, its people, and its unique traditions. He was a strong advocate for Hoosier veterans in particular and for our national parks during his service in Congress.

He was also a man of many talents and interests. Baseball was one of them. In fact, he wrote about the game's history and connections to our own State. Recently, Mark collaborated on a book about the history of television in Fort Wayne.

More personally, I always appreciated Mark's kindness and support as I began my congressional career, and I know Mark provided similar assistance and encouragement to others.

I offer my deepest condolences to the Souder family and to all of Mark's friends and loved ones as they mourn his loss.

CHIPS AND SCIENCE ACT

Madam President, "Time and momentum are on our side"—so said Xi Jinping to his colleagues in the Chinese Communist Party last year.

True, there have been some recent setbacks to China's grand plan—corruption probes, billions of wasted government dollars—but make no mistake, these are minor distractions. You see, the CCP is as determined as ever to supplant the United States as the world's leader, militarily and economically, in order to win the 21st century. Xi and his government will subsidize any industry, spend any amount of money, take any means—even propping up manufacturing with slave labor—to bend the market to its ambitions and force America to its knees.

The CCP is confident that America is too dysfunctional and that the American people are too divided to arrest its momentum. Well, today, I am pleased to report that the CCP has made a serious miscalculation. Allow me to explain.

You see, earlier this month, I was in West Lafayette, on the campus of Purdue University. Indiana's Governor, Eric Holcomb, and Purdue's president, Mitch Daniels, were, of course, there. We were joined by U.S. Secretary of Commerce Gina Raimondo and U.S. Secretary of State Antony Blinken. Our group saw up close the amazing work that Purdue is doing across its technology ecosystem. We met and spoke with many talented students and professors. We had a productive discussion about ways to bolster our national security and economic competitiveness. Not coincidentally, we did this in a hall named for Neil Armstrong and, not coincidentally, because our conversation focused on the CHIPS and Science Act.

This is legislation I and others in the Senate worked on for years and of which I am proud was finally signed into law in August. The CHIPS and Science Act will unleash the same enterprising American spirit that sent Neil Armstrong to the Moon aboard Apollo 11—the same spirit Beijing believes is a relic of the 20th century. This type of bipartisan economic and

national security win only comes along once in a generation.

Enacting the CHIPS and Science Act sent a strong message to the world that when it comes to meeting China's challenge, here in the United States, there is cross-party consensus and a seriousness of purpose.

A thriving domestic chip industry is going to prevent future supply chain stoppages and protect our military readiness. You see, right now, Taiwan produces 90 percent of all advanced semiconductor chips, and the threat of a communist China takeover of Taiwan is real.

Meanwhile, the Chinese Government is heavily subsidizing its national security innovation base and the development of mission-critical technologies. In fact, the CCP has invested \$14 trillion—\$14 trillion—in the technologies that will shape our modern economy and decide the winners of future wars, technologies like quantum computing, robotics, and artificial intelligence, and technologies like hypersonics.

They have also set a strategy of dominating the global production of semiconductors. If China produces more and more of the world's supply of semiconductors, America's economy and our national security could be at the mercy of the CCP, especially in the event of another pandemic or war.

This is all part of Beijing's bet to beat America, but the CHIPS and Science Act helps America counter that bet. You see, there is a happy coincidence here. What benefits our national security also benefits our economic security, especially across the industrial Midwest, where we pride ourselves on making things—things like microchips.

Just weeks after the CHIPS and Science Act became law, its benefits began to reverberate across the heartland economy. We have already seen numerous, major economic announcements that are directly tied to this bill becoming law. In fact, a corridor of the semiconductor industry will run through the State of Indiana.

Thanks to the CHIPS and Science Act, SkyWater Technology is moving forward with its plans to partner with Purdue to build a \$1.8 billion facility in West Lafayette, which will manufacture semiconductor chips and create an estimated 750 direct jobs, and there is more to come.

Further, the CHIPS and Science Act provides \$2 billion for the Department of Defense to make semiconductors. The Naval Surface Warfare Center, Crane Division, in southern Indiana, with its expertise in chips manufacturing, is expected to play a significant role in this effort, in turn creating economic opportunities across the southern part of our State.

The regional tech hubs authorized by the CHIPS and Science Act will launch innovative companies, help revive American manufacturing, and lay the foundation for new, good-paying jobs to jump-start our local communities.

For too long, our coastal States have been the near-exclusive hotbeds of venture capital investments and launching pads for tech startups. Only a handful of American cities account for nearly 90 percent of job growth when it comes to advanced sectors like tech, computer manufacturing, biotech, and telecom. But the CHIPS and Science Act plants the seed corns to ensure that opportunity for investors, entrepreneurs, and researchers spreads across the industrial Midwest and other areas around the country.

It will broaden and deepen our start-up and tech economy. As a result, everyone will win, and our national defense will be safeguarded.

Our position as a leader in the development of feature technologies will be secure. Our ability to win the contests ahead, economically and, God forbid, militarily, will also be secured. And there will be numerous residual benefits to this law in the years to come, such as American labor providing the manpower needed to construct new fabs and facilities here in the United States.

In closing, let me reiterate that the CHIPS and Science Act will be a boost to our domestic economy, but it is not just about our economy. It will strengthen our national defense by allowing us to have the most sophisticated weapons systems and by ensuring their critical components are made in the U.S.A.

But it is not just about national defense either. You see, this is about deciding which values are going to animate these technologies in the future: The values on display from a Communist Party when it cracks down on protesters in the streets of Hong Kong? The values that enslave millions of Uighurs and Xinjiang, or threaten Taiwan?

The world's autocrats are attempting to exert their influence across the globe. They argue that the American system, with our pesky system of checks and balances, our very ideal of government of the people, by the people, for the people—they argue that can't work in the 21st century. But the signing of the CHIPS and Science Act proved them wrong.

When it comes to out-innovating China in authoring a second American century, I am confident that, in the days ahead, both time and momentum will be on America's side.

I yield the floor.

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. YOUNG. 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—H.R. 8982

Mr. YOUNG. Madam President, I ask unanimous consent that should the Senate receive from the House of Rep-

resentatives a bill, the text of which is identical to H.R. 8982, as introduced in the House and which is at the desk, the Senate proceed to its immediate consideration, the bill be considered read a third time, and the Senate vote on passage without further intervening action or debate, and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. YOUNG. Madam President, H.R. 8982 is another important fix to the ongoing infant formula shortage. When the Formula Act passed in July, it left out "infant formula base powder." This bill will ensure trade barriers are lifted as we continue to address this crisis.

I thank my colleagues Senator LEE and Senator BRAUN for their efforts on this.

I yield the floor.

The PRESIDING OFFICER. The Republican whip.

DEMOCRATIC PARTY

Mr. THUNE. Madam President, yesterday I came down to the floor to talk about where we are after nearly 2 years of Democrat control of Congress and the White House.

We are, as I noted, in the midst of an inflation crisis with no end in sight. Our economy is weakening. Our energy security is diminished. Violent crime has increased, and we are dealing with record waves of illegal immigration and a serious security situation at our southern border. That is where we are.

The question is, How did we get here? The answer lies with Democrats' priorities.

The Democratic Party has moved sharply leftward over the past few years. Democrats, of course, have always been on the left side of the political spectrum. But over the past few years, what was once far-left ideology has become the Democrat mainstream. And Democrats swept into office determined to enact a far-left, Big Government agenda. It didn't matter to them that their majorities in the House and Senate were extremely narrow or that President Biden had been elected largely because he was considered to be a moderate.

Democrats had a grip on power, however tenuous, and they were determined to use it to enact their most cherished, far-left fantasies.

They started off with their \$1.9 trillion American Rescue Plan Act, filled with unnecessary spending and payoffs to Democrat interest groups. They were warned their legislation ran the risk of overheating the economy and setting off inflation. But they ignored the warnings and dumped a lot of unnecessary government money into the economy, and the economy overheated as a result. Inflation quickly began climbing and then climbing some more.

Now, at this point, it might have seemed prudent to pull back on all those spending plans. After all, if one massive spending bill had kicked off in-

flation, how much worse would another, even more massive spending bill make the situation?

But Democrats were just getting started. The ink was barely dry on the so-called American Rescue Plan before Democrats were outlining plans for a new spending spree, one that would dwarf their initial spending spree and install some of the Democrats' most cherished Big Government priorities.

And even as inflation climbed and climbed again, Democrats kept pushing ahead. Even as Democrat economists warned that the American Rescue Plan had kick-started inflation, they kept pushing forward with plans for a \$5 trillion spending spree, their so-called Build Back Better plan—\$5 trillion.

To put that number in perspective, the entire Federal budget in 2019 was \$4.4 trillion, the entire Federal budget. Yet Democrats were pushing forward with a \$5 trillion spending plan on top of a \$1.9 trillion spending bill earlier in the year.

Fortunately, for the American people, the Democrats' \$5 trillion spending plan was foiled last December, but that didn't stop them for long.

Even as inflation reached 40-year highs, Democrats kept pushing for more spending, and they managed to jam through another partisan tax-and-spending spree in August.

We have now had 6 straight months—6 straight months—with inflation above 8 percent. The last time inflation was this bad, I wasn't even married yet. Now I have grandkids. But Democrats just don't seem to care. They are committed to their tax-and-spending agenda, regardless of the consequences for the American economy.

Their August tax-and-spending spree will hurt both wages and economic growth at a time when economic growth is weakening and Americans are experiencing a de facto pay cut due to inflation.

And just days after signing this tax-and-spending legislation into law, President Biden announced—if you can believe this—a massive student loan giveaway, which would cost more than \$1 trillion and will, to quote the Committee for a Responsible Federal Budget, "meaningfully boost inflation"—meaningfully boost inflation.

Yet again, Democrats' Big Government, big-spending agenda trumps the economic reality facing the American people.

No matter how bad the economy gets, Democrats are determined to enact their Big Government vision. And I suspect the reason the Democrats and the President have spent nearly 2 years ignoring the raging crisis at our southern border is similar. After all, if Democrats and the President acknowledge that there is a crisis, people might think that they should actually start solving the crisis.

They might, in fact, think that a raging security crisis deserves to be a priority—more of a priority than, say, Democrats' plans for electric postal vehicles or monitoring gaps in tree canopy coverage. In addition, of course,

acknowledging that there is a border crisis might offend some Democrat interest groups, and that might imperil Democrats' fierce determination to stay in power and enact their Big Government agenda.

Madam President, I mentioned Democrats' fierce determination to stay in power, and it is fierce, so fierce that the Democrats manufactured a voting crisis and almost succeeded in gutting the Senate's rules in an attempt to force through Federal legislation that would give their party an advantage in future elections. And it clearly doesn't matter to them that their claims of voter suppression were pretty clearly refuted by excellent election turnout mere months later. Democrats are still talking about forcing through a Federal takeover of elections to address a nonexistent crisis and give their party a leg up in future elections.

Madam President, I guess it is not necessarily surprising that Democrats' growing commitment to the biggest kind of Big Government has been matched by a growing determination to secure their party's grip on power with government action, if necessary. As government power grows, I suppose the governing party starts to think its power should grow with it. It would explain Democrats' commitment to abolishing protections for the rights of the minority party in the Senate and the Americans that it represents and the commitment expressed by a number of Democrats to packing the Supreme Court, expanding it—expanding the Supreme Court with Democrat Justices until they can be sure they will get the outcomes that they want.

Leading Democrats have been openly crowing about their plans to abolish the filibuster if they manage to gain a sufficient majority in the Senate and then force through a variety of far-left, Big Government legislation—from a government takeover of childcare to that voting bill that they think will give them a leg up in elections to some of the most extreme abortion legislation, literally, in the world.

Clearly, a raging border crisis, an inflation crisis, a weakening economy, and growing energy insecurity mean little to Democrats. Their focus, if they keep their majority, is not on solving these very real problems facing Americans; it is on growing and expanding government and implementing their far-left, Big Government, big-spending visions.

(Mr. SCHATZ assumed the Chair.)

Mr. President, Democrats' Big Government vision is clearly not a vision I share, and despite Democrats' clear belief that their narrow majority gave them a mandate for a far-left remake of our government, I suspect the American people are not looking for that. Democrats may think months and months and months of high inflation are a small price to pay for implementing their Big Government visions, but I suspect the American people disagree.

I also think the American people would like to see the party in power focused on solving problems like violent crime and the crisis at our southern border, not spending their time considering how to consolidate their hold on power or force through extreme or partisan policies. And despite Democrats' clear belief that Washington should be making decisions about most aspects of Americans' lives, I suspect most Americans are not interested in having Washington dictate their choices, whether that is the choices they make about their childcare or about their children's education.

Democrats' devotion to their Big Government, big-spending agenda has left the American people worse off economically, and it has left our country in a more dangerous position, from violent crime in our communities to the security crisis that we see on a daily basis unfolding at our southern border.

I think the American people know with painful certainty that we can't afford another 2 years like the last 2, and for the sake of our country, I hope we won't have to see what 2 more years of Democrat power would bring.

Mr. President, I yield the floor.

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

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

#### FDA MODERNIZATION ACT 2.0

Mr. PAUL. Mr. President, I rise today to talk about a bill that would lift a mandate in the law dating back to the Great Depression. This mandate is that drugs have to be tested on animals before clinical trials in humans.

This law was created back in the thirties—but I think makes no sense today—when the only methods we had back then were animal trials or human trials. But as the cofounder of a leading bioconvergence startup wrote in "Forbes" last December:

[T]his legislation was passed 20 years before the first modern blood tests, 40 years before [the] modern computers and 60 years before the human genome was mapped. Now, we have all these tools and so many more to evaluate and ensure the safety of cosmetics and drug candidates before they reach human trials.

The problem is, the law never caught up to the science. The law perversely requires drug developers to test on animals, which often means killing them after the test is over, even when non-animal methods would work better. Passing this bill will put a stop to the needless suffering and death of millions of animals in labs across the country.

An emeritus neurology professor at Mayo Clinic, David Wiebers, wrote earlier this month in the Kansas City Star that the—

[D]ifferences in genetics and physiology among species can change the way a drug is metabolized in the body. As a result, the predictive value of using animals for toxicity testing is far from optimal. The intent of the 1938 requirement for animal models was to keep toxic drugs from harming patients.

A noble quest.

Yet, statistics show that these animal tests are flawed and misclassify many toxic compounds as safe.

This partly explains why over 90 percent of drugs found to be safe in animal testing end up failing in human clinical trials. But animal tests can be more than twice as expensive—sometimes up to 30 times more expensive—as nonanimal alternatives. This is despite the fact that it takes over a decade to bring a new drug to market and costs about a billion dollars.

You would think that if you are making that kind of investment, you would be getting something for your money. But not when the government gets in the way of progress.

It is often said that the definition of insanity is doing the same thing over and over again and expecting a different result. We have mandated animal testing for the last 84 years, and it meant slower approval for promising drugs and cures.

The time has come for the law to finally catch up with the science. I am glad the Senate has acted, and I hope the House of Representatives will now move quickly to pass this measure into law.

This law will allow the option of not doing animal testing. It is not that it will forbid and prevent any animal testing; it simply will allow the option of bringing drugs to market without sacrificing animals if we don't need to.

Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 5002, which is at the desk.

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

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 5002) to allow for alternatives to animal testing for purposes of drug and biological product applications.

There being no objection, the Senate proceeded to consider the bill.

Mr. PAUL. I ask unanimous consent 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. Without objection, it is so ordered.

The bill (S. 5002) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 5002

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "FDA Modernization Act 2.0".

#### SEC. 2. ALTERNATIVES TO ANIMAL TESTING.

(a) IN GENERAL.—Section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355) is amended—