

Finance Committee members voted in November of last year—let me repeat: November of 2021, more than 13 months ago, over a year—to approve Dr. Neiman's nomination on a strong bipartisan basis. This is not a controversial nominee. His nomination has waited long enough. And there are a lot of challenges waiting for him at the Treasury Department. For example, China's lockdowns are creating a ripple effect throughout international supply chains. It is one of the major causes of the inflation that has been clobbering family budgets in Oregon and across the country the last few years.

Dr. Neiman will also have a role to play in dealing with the fallout of Russia's brutal and illegal invasion of Ukraine. He will directly address the economic impact of sanctions and the price cap on Russian oil. He will be involved in maintaining maximum pressure to hold Putin accountable for the horrors of the unprovoked, unjustified war that Vladimir Putin started.

Dr. Neiman will also work on the critically important issue of currency manipulation by foreign governments. This is a subject that the Finance Committee, on a bipartisan basis, has taken very seriously. Most importantly, the Treasury Department urgently needs an expert at the helm to address these issues and solve complicated policy questions that have everything to do with the global economy.

Dr. Neiman is the right man for the job. His qualifications are undeniable. Following an education in economics and mathematics, he served on the staff of the White House Council of Economic Advisers and the Federal Reserve Bank of Chicago. He brings very valuable private sector experience. Let me underline that to our colleagues, real private sector experience.

At the University of Chicago's Booth School of Business, his decades of research have contributed to his expertise on international macroeconomics, finance, and trade.

He is an excellent choice for a very challenging job that handles a lot of difficult issues. I strongly support his nomination for this especially important, urgently needed post at the Treasury Department. He has support from both sides of the Senate Finance Committee. His nomination has waited long enough.

For that reason, I ask unanimous consent that as in executive session, the Senate consider the following nomination: Calendar No. 545, Brent Neiman to be a Deputy Under Secretary of the Treasury; that the Senate vote on the nomination without intervening action or debate; that if confirmed, the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Is there an objection?

The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, on behalf of our friend and colleague, Senator BARRASSO, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. WYDEN. Mr. President, I think this is very unfortunate. We very much need to have this post filled, and we are going to stay at it until Dr. Neiman, a very distinguished individual whose talents are immense and fit for the job, is approved.

#### GREAT DISMAL SWAMP NATIONAL HERITAGE AREA ACT

Mr. WYDEN. Madam President, at this time, I ask unanimous consent that the Committee on Environment and Public Works be discharged from further consideration of H.R. 1154, and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER (Ms. ROSEN). Without objection, it is so ordered.

The clerk will report the bill by title.

The bill clerk read as follows:

A bill (H.R. 1154) to authorize the Secretary of the Interior to conduct a study to assess the suitability and feasibility of designating certain land as the Great Dismal Swamp National Heritage Area, and for other purposes.

There being no objection, the committee was discharged, and the Senate proceeded to consider the bill.

Mr. WYDEN. I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

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

The bill (H.R. 1154) was ordered to a third reading, was read the third time, and passed.

The PRESIDING OFFICER. The Senator from Maine.

#### ELECTORAL COUNT REFORM ACT

Ms. COLLINS. Madam President, the Senate is on the verge of enacting legislation included in the Consolidated Appropriations Act that would remedy the deep structural problems with our system of certifying and counting the electoral votes for President and Vice President.

These unfortunate flaws are codified in the 1887 Electoral Count Act, which guides the implementation of part of the Presidential election process included in our Constitution. This archaic law, vaguely written in the inaccessible language of a different era, was intended to restrain Congress; but in practice, it has had the unintended effect of creating ambiguities that could potentially be used to expand the role of Congress and the Vice President in ways that are contrary to the Constitution.

Despite its defects, this law was not an issue for more than a century because of the restraint of the people who exercise the serious, but limited, constitutional responsibility of counting the electoral votes. Vice Presidents and Congress sustained the will of the people, even when they did not like the result.

It took the violent breach of the Capitol on January 6, 2021, to really shine a spotlight on the urgent need for reforming this law. Earlier this year, I, along with a dedicated bipartisan group of our colleagues, set out to craft legislation to reform and modernize the Electoral Count Act. Our bipartisan group worked day and night over the period of several months to reach a bipartisan consensus on a series of reforms that will prevent this outdated law from being used to undermine future Presidential elections.

I am pleased that our legislation, the Electoral Count Reform and Presidential Transition Improvement Act, is included in the bill before us. This bill is the result of countless hours of deliberations by members of our working group. Cosponsored by 39 Senators, our bill enjoys broad bipartisan support and was reported favorably by the Senate Rules Committee by a vote of 14 to 1 after an excellent hearing at which the committee members heard from a wide range of constitutional experts.

I want to express my gratitude to my friend and partner in this effort, Senator JOE MANCHIN, and to all the members of our group for their work to craft this legislation. Specifically, Senators ROMNEY, SHAHEEN, PORTMAN, SINEMA, MURKOWSKI, WARNER, TILLIS, MURPHY, CAPITO, CARDIN, YOUNG, COONS, and SASSE have dedicated countless hours to this effort.

I also want to recognize Senators KLOBUCHAR and BLUNT. They are the leaders of the Senate Rules Committee. They provided their advice and counsel throughout this process and shepherded the bill through their committee.

Leaders MCCONNELL and SCHUMER cosponsored our bill and trusted us to undertake this vital task.

I want to thank all of the cosponsors, as well as Representatives GOTTHEIMER and UPTON, who introduced a companion bill in the House of Representatives.

In developing our bill, we also consulted with several election experts and legal scholars whose analysis helped shape the bill. Our bill would replace the ambiguous provisions of this 19th century law with clear procedures that maintain appropriate state and Federal roles in selecting the President and Vice President as set forth in the Constitution. It will also ensure that the electoral votes tallied by Congress accurately reflect each State's public vote.

There are a number of important reforms included in our bill. Let me take just a moment to highlight a few of them.

First, our bill reasserts that the constitutional role of the Vice President in counting the electoral votes is strictly and solely ministerial. The idea that any Vice President would have the power to unilaterally accept, reject, or change electoral votes or halt their counting is antithetical to our Constitution and basic democratic principles.

Second, our bill raises the threshold to lodge an objection to electors to at least one-fifth of the duly chosen and sworn Members of the House and the Senate. Currently, it takes only a single Member in each body to object to an elector or a slate of electors. I would note that in four of the past six Presidential elections, this objection process has been abused, with members of both parties raising frivolous objections to electoral votes. By raising that threshold from one Member of each body to 20 percent of each body, we can do away with the completely frivolous objections, while ensuring that serious concerns are still heard.

Third, our legislation would ensure that Congress can identify a single conclusive slate of electors by clearly identifying a single State official who is responsible for certifying a State's electors, requiring Congress to defer to the slates of electors submitted by a State pursuant to the judgment of State or Federal courts and by providing Presidential candidates with an expedited judicial review of Federal claims related to a State's certificate of electors.

Let me be clear that this does not create a new cause of action. Instead, what this provision will do is ensure a prompt adjudication of disputes.

To help promote the orderly transfer of power, our bill also includes clear guidelines for when eligible Presidential candidates may receive Federal resources to support their transition into office. I particularly want to thank Senators PORTMAN, COONS, and SASSE for their hard work on this portion of the bill.

Nothing is more essential to the survival of a democracy than an orderly transfer of power. And there is nothing more essential to that orderly transfer of power than clear rules for affecting it. Our bill provides those clear rules.

I urge my colleagues to support this historic legislation and I thank all who are involved to bringing us to this reality.

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.

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

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

TRIBUTE TO ROB PORTMAN

Ms. COLLINS. Madam President, seeing no one seeking the floor at the moment, I would like to rise today to thank my valued colleague and dear friend ROB PORTMAN for his outstanding contributions to our Nation.

ROB's 12 years in the Senate tell only a part of the story of his remarkable record of public service that extends three decades. Under President George H. W. Bush, he served as Legislative Affairs Director and Associate White House Counsel.

He was then elected to the House of Representatives seven times from Ohio's Second District. In 2005, ROB left Congress to serve in the administration of President George W. Bush, first as U.S. Trade Representative and later as Director of the Office of Management and Budget.

In each of those roles, ROB established a well-deserved reputation as a problem-solver, focused on practical results rather than political advantage.

He is a leader who treats his colleagues with respect, and he has the highest regard for the constituents he serves.

In the Senate, ROB continued to advance many of the issues that he championed in the House. These included ending sex trafficking through the internet, pushing for fair trade policies that support U.S. manufacturers, improving workforce development programs, protecting our national parks, and promoting energy conservation.

ROB PORTMAN has been a remarkably successful legislator. During his Senate tenure, he has introduced more than 240 bills, including 200 bipartisan measures. Under Democratic and Republican Presidents, more than 150 of his legislative proposals have been signed into law.

One of those laws is transforming the lives of those who are struggling with addiction. The Comprehensive Addiction and Recovery Act, enacted in 2016, has significantly increased medication-assisted treatment for opioid use and was a monumental leap forward in our ongoing work to boost resources to address this public health crisis and bring hope, recovery, and healing to individuals and communities that have been devastated by the opioid epidemic.

ROB has also led bipartisan efforts for decades to pass historic reforms to strengthen the private retirement system to ensure that Americans have the resources that they need to save for retirement.

His efforts have helped retirement savings to increase from \$11.3 trillion in 2001 to \$29.1 trillion in 2022. And he continues that effort knowing that we still have a troubling gap in the amount of money that people will need for a comfortable retirement versus what they have saved.

I am proud to have partnered with ROB on many of these initiatives. One in particular that stands out in my memory is our work together to develop and pass the bipartisan Infrastructure Investment and Jobs Act.

We were among a group of 10 Senators—5 Republicans and 5 Democrats—who were resolved to break through the partisan gridlock and deliver this long-overdue victory to the American people.

After months of working night and day, our bipartisan negotiations resulted in a truly transformational package for our country that is the most significant investment in infrastructure since the establishment of the Interstate Highway System in the

1950s. We would not have been successful without ROB's leadership.

On top of his many legislative accomplishments, ROB has always backed a strong national defense and has been an outspoken champion for freedom around the world. For the past 2 years, he has been a leading voice in supporting the people of Ukraine against the unprovoked and brutal Russian invasion that began 300 days ago.

ROB is also a champion of democracy and liberty here at home. He has been a strong ally in our bipartisan work on the bill I just discussed, and that is the modernization and reform of the Electoral Count Act of 1887.

He is also an original cosponsor of the Respect for Marriage Act, which has enshrined marriage equality for the purposes of Federal law and provides additional legal protections to ensure religious liberty as well.

When ROB announced that he would not seek reelection, he said this:

"We live in an increasingly polarized country where members of both parties are being pushed further to the right and further to the left, and that means too few people are actively looking to find common ground. This is not a new phenomenon, of course, but a problem that has gotten worse over the past few decades."

I would say to my friend and my colleague ROB that one of his most enduring legacies will be the example he has set of bringing our country together, of bringing the Members of this body together to address the many challenges we face.

It has been an honor to serve with my friend ROB PORTMAN, and I look forward to the many contributions he will continue to make in this next chapter of his life.

I wish him, his wife Jane, and all of their wonderful family all the best in the years to come.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. 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. PORTMAN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. PORTMAN. Madam President, I just had the opportunity to hear from Senator COLLINS about some of the legislative accomplishments I have had over the years, and I want to say two things. One, on so many of those issues, it was SUSAN COLLINS—as I call her, "the indispensable one"—who through hard work and grit and, frankly, understanding of the issues better than anyone else around the table, is able to succeed in finding ways forward on tough issues that face our country. She mentioned infrastructure as an example, but, more recently, there is the Electoral Count Act, which I think is going to be broadly supported by our

colleagues but required that kind of deep understanding and knowledge of the issues.

Second is that there is no one more bipartisan and interested in finding results than Senator COLLINS.

So I appreciate her words, but, as they say, right back at you, Senator COLLINS, and thank you for your friendship and for your willingness to put up with me over the years on so many of these important issues.

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. 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.

The Senator from Maryland.

#### ANTI-SEMITISM

Mr. CARDIN. Madam President, tonight, Jews in America and around the world will be celebrating the fourth night of Hanukkah. Hanukkah represents the successful revolt by the Maccabees against suppression of the Jewish community that dates back to the second temple, in the second century BCE. So we have seen, over a long history of the world, attacks against the Jewish people and the unfortunate anti-Semitism that has existed since basically the beginning of time.

What is shocking is the current increase in the number of anti-Semitic episodes that we have seen in speech and in action here in the United States and around the world.

Let me bring it closer to home. Last Saturday, in Montgomery County, MD, just a few miles from where we are, at Walt Whitman High School, anti-Semitic graffiti was put on their walls.

It was the second time in just over 1 month in Montgomery County that we have seen anti-Semitic type activities through graffiti. In mid-November on the Trolley Trail, a similar episode occurred.

The number of episodes that arise of anti-Semitism is shocking. The Anti-Defamation League has given us the numbers—61 percent increase between 2020 and 2021 in speech and attacks against Jewish institutions here and around the world.

I have the privilege of being the Special Representative of the OSCE Parliamentary Assembly for Anti-Semitism, Racism, and Intolerance. I attended, on behalf of the United States, the Berlin Conference on Anti-Semitism in 2004. There were many lessons learned from those conferences that we had, but the most important lesson we learned is that leaders must speak out and act against any form of anti-Semitism or any form of hate. It cannot be normalized.

We have seen just the opposite from our leaders recently—former President Trump and a dinner he had at Mar-a-Lago with a known anti-Semite and a

known White supremacist and a photograph then later with a QAnon follower. This gives oxygen to hate.

We need to strengthen our resolve to make sure that we will never allow this to be normalized, and we need to recognize that there is a direct link between the attacks on our democratic institutions and our rule of law and the rise of anti-Semitism and other forms of hate. Therefore, we all must speak out about disinformation and election deniers. We need to speak out against the conspiracy theorists who use theories such as the “replacement theory,” promoting old-age anti-Semitic tropes. We know where that leads. It leads to violence.

On November 29 of this year, I conducted, under the auspices of the OSCE Helsinki Commission, a roundtable discussion. I was pleased to be joined by our Presiding Officer, Senator ROSEN, and I thank her for her extraordinary leadership with Senator LANKFORD in establishing the bipartisan and bicameral caucus in regards to fighting anti-Semitism. I was also joined by Senator BLUMENTHAL and Congressman VEASEY. We had representatives from the White House, from the Department of Homeland Security, Department of State, Department of Justice, the Anti-Defamation League, the American Jewish Committee, and the U.S. Holocaust Memorial Museum. All were present as we talked about what we can do.

That was followed up by a hearing at the Helsinki Commission last week on December 16—actually, just almost a week ago—in which we had Ambassador Deborah Lipstadt, our Special Envoy to Monitor and Combat Anti-Semitism, and Rabbi Andrew Baker, who is the Special Representative, the Organization for Security and Co-operation in Europe on anti-Semitism. We all met again in a public forum as to what we should do. And I want to compliment the Biden administration. Doug Emhoff had a similar roundtable discussion with all the stakeholders.

Out of all those meetings, one thing became abundantly clear: We need a whole-of-government approach in fighting the rise of anti-Semitism. We need a coordinated strategy.

So I want to thank President Biden for his statement on December 12 where he did set up an interagency group, led by the domestic policy staff, in order to develop a unified national strategy to combat anti-Semitism and all forms of hate. That came out of the recommendations that our Presiding Officer helped lead all of us together to make that a reality.

We need a unified national strategy. It must include education. And I am so proud of this body approving additional funds for Holocaust education. It is important. It is an important part. People need to understand their history so that we are not doomed to repeat the horrors of the past. It includes safety. Public safety is very important. It is a reality that we have to provide our communities with the security they

need. These nonprofits security grants are critically important. I was glad to see again that we are going to act later today to provide the resources we need to help our religious institutions protect themselves against the threats that are out there today. We need to engage law enforcement with training and accurate data collection so we understand the problem and we can take steps to combat it.

Yes, we need a coalition of all groups. We need to work together. As President Biden said when he set up the task force, we need to coordinate U.S. Government efforts to counter anti-Semitism, Islamophobia, and related forms of bias and discrimination within the United States. We need to work in coalition.

I had a sidebar meeting in Luxembourg at one of the OSCE Parliamentary Assembly meetings on anti-Semitism, and it became loud and clear that if any minority group is in jeopardy, we are all in jeopardy. So we need to work together.

I am going to close by quoting from an op-ed written by Howard Libit that ran in the Baltimore Sun on December 14, which was entitled “Stemming the rise of antisemitism once more.” Mr. Libit serves as the executive director of the Baltimore Jewish Council. Let me just quote some what he put in that op-ed:

These days, the media’s common refrain focuses on the “normalization” of anti-Semitism. Essentially, we are seeing so many antisemitic comments and actions from leaders in politics, sports, entertainment, and social media, it is casually becoming part of our everyday conversation and debate. Immediate and universal condemnation used to be the norm when public figures or public debate crossed the line into anti-Semitism. That no longer seems to be the case—whether it is because of the overall coarsening of our public debates or the relentless rise of anonymous social media, or simply the fact that there is fatigue from so many antisemitic comments seemingly everywhere.

We can never normalize anti-Semitism.

The editorial continues:

But as a leader in our Jewish community here in Baltimore, I say that we must commit to fighting antisemitism on all fronts, from all political points of view, no matter how big or how small. The gap between rhetoric and action has always been frighteningly narrow, which is why strong and immediate confirmation from all corners of leadership must again be the norm. The narrow gap between words and violence is why we must shine the brightest light possible on antisemitism.

I urge my colleagues on both sides of the aisle and both sides of the Capitol to work with me, work with all of us—the Biden administration, our allies, our civil society partners—to loudly and decisively call out anti-Semitism wherever it manifests itself and to work together in the whole-society approach to combat and eradicate it from our society.

On this Hanukkah, let us rededicate ourselves that there should be no place

for hate in America and that we will fight anti-Semitism here and lead the international efforts against anti-Semitism.

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

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

#### AMENDMENT NO. 6560

Mr. WHITEHOUSE. Madam President, I am here to profess my appreciation to Senator TOM COTTON and to our colleague Senator BOB MENENDEZ, Chairman MENENDEZ, for their persistence in achieving a vote here on what is now called Senate amendment No. 6560, which would expand the U.S. Victims of State-Sponsored Terrorism Fund's coverage to the American victims of the Beirut bombing.

This matters a lot to Rhode Island because October 23, 1983, the day when a truck full of explosives drove into the Marine barracks in Beirut and exploded, killing 241 servicemen, was probably the bloodiest day for Rhode Island in any war at any time in our history. There was an unusually high deployment of Rhode Islanders there. Nine were killed that day, including two brothers-in-law. So some families took a terrible, terrible blow.

I am just very grateful that Senator COTTON put the relentless initiative into making sure that it happened and to Chairman MENENDEZ for supporting that, allowing that to happen. And I hope in my own way I was also able to clear some of the obstacles and the difficulties to make sure we had this vote.

I strongly urge all of my colleagues, let's get together on this, and let's pass this amendment, and let's make sure the victims of the Beirut bombing of the Marine barracks is not forgotten.

Two things happen on this anniversary in Rhode Island. One is that at the Portsmouth Historical Society, a memorial ceremony is conducted. It is a beautiful old building, and we go upstairs, where there is a really nice, very old-fashioned auditorium. There is usually a very impressive speaker, very often from the Naval War College, almost inevitably a U.S. marine.

The marines were the casualties that day. It is an important day for the U.S. Marines, and with my dad having served as a U.S. marine in World War II, it means something to me as well to have this take place.

We have also built a memorial to those Rhode Islanders along the shore of the Providence River. Providence is known for its WaterFire, where they light braziers around the river. It is right along that riverway where this beautiful glass memorial is, and we go to that as well.

So this is a big deal, and I just want to take a moment, as we have a chance

on the Senate floor, to make sure that the names of those Rhode Islanders are remembered. They were Sgt Timothy Giblin; Cpl Rick R. Crudale; Cpl Edward S. Iacovino, Jr.; Cpl David C. Massa; Cpl Thomas A. Shipp; Cpl Edward Soares, Jr.; Cpl James F. Silvia; Cpl Stephen E. Spencer; and LCpl Thomas A. Julian.

In their honor, colleagues, I commend to all of you an "aye" vote on the Cotton-Menendez amendment.

I should make one small correction. I shall also add a thank-you to Senator DAN SULLIVAN, a Marine colonel, who serves here as well and who has been very supportive of this effort. So to DAN, to TOM, to BOB, and mostly to all of the families who remember with such love these lost lives, my appreciation.

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.

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

The PRESIDING OFFICER (Ms. BALDWIN). Without objection, it is so ordered.

#### UNANIMOUS CONSENT REQUEST—EXECUTIVE CALENDAR

Ms. DUCKWORTH. Madam President, I come to the floor to talk about an important nominee to the Equal Employment Opportunity Commission, an Agency that plays a critical role in protecting workers and upholding civil rights.

The EEOC enforces Federal laws that make it illegal to discriminate against a job applicant or an employee because of the person's race, color, religion, sex, national origin, age, disability, or genetic information.

In short, it is because of the laws that the EEOC enforces that many of us are here today, and Karla Gilbride is an exceptionally qualified nominee to serve as the EEOC's general counsel.

Ms. Gilbride has 15 years of experience in advocating for the right of all Americans to enjoy equal opportunity under the law, including representing workers who have faced discrimination or who have been unable to access courts because of forced arbitration provisions.

As codirector of Public Justice's Access to Justice Project, she recently won a unanimous Supreme Court decision in which she represented a worker in a dispute over whether a Taco Bell franchise could force an arbitration of the worker's overtime claims. She has also worked to secure workers' protections from sexual harassment, as well as securing people with disabilities' access to licensing exams, emergency shelters, housing, and transportation.

Ms. Gilbride's nomination is supported by over 40 organizations, including the National Women's Law Center, the AFL-CIO, the National Employment Lawyers Association, the Dis-

ability Rights Advocates, and the National Disability Rights Network.

As EEOC's general counsel, I know that Ms. Gilbride will continue to work to help all Americans thrive but especially those hard-working Americans facing unsafe working conditions and those who might be systemically left out due to the increasing use of sophisticated technology. The EEOC has such important work to do, and it should do that work with a Senate-confirmed general counsel.

I hope my colleagues will join me in confirming Ms. Gilbride to this critical role so she can get to work.

Madam President, I ask unanimous consent, as in executive session, that the Senate consider the following nomination: Calendar No. 1203, Karla Ann Gilbride, of Maryland, to be General Counsel of the Equal Employment Opportunity Commission for a term of four years; that the Senate vote on the nomination without intervening action or debate; that if confirmed, the motion to reconsider be considered made and laid upon the table; and that the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Is there objection?

The junior Senator from Indiana.

Mr. BRAUN. Madam President, reserving the right to object, I know firsthand how difficult it is when you navigate through any issues like this. I had a small business for nearly 17 years with just 15 employees. I can tell you, for a small business—and that is defined, maybe, from 100 employees and fewer—it is a major issue. You want to make sure, when that occurs, that you are not overly burdened by the process of whatever you are contending with.

The EEOC is charged with enforcing our employment discrimination laws. As general counsel, Ms. Gilbride would provide overall guidance and management to field offices' legal units and develop litigation strategies.

During the Trump administration, the Commission saw many changes aimed at what I believe is always beneficial—transparency and accountability—for the purpose of, when you get into these discussions with smaller businesses—not big corporations, as they have got their staffs of attorneys—you have got to be careful that you are not burdening them with something that could disrupt their businesses and—who knows?—depending on how long it might take, put them out of business. Remember, with many of these small businesses, whoever the proprietors are, they are making a living out of it, not necessarily gauging a return on investment, so to speak.

Unfortunately, some have called for the reversal of these changes of more transparency and accountability. For example, the Commission could reverse Commissioner voting on the approval of litigation and the requirement to post these votes publicly online. If reversed, the general counsel and staff would have the authority to commence

litigation against employers instead of the Commission, like Congress intended it to be.

The Chair of the Commission has also made clear that she will seek to reinstate the burdensome collection of pay data from employers in an attempt to identify pay discrimination. However, the reality is that this data provides no context for wages, such as job experience, education, or skill level.

How does that relate to Ms. Gilbride?

When she was asked about some of this, it wasn't clear whether she was going to keep what many of us thought was good with accountability and transparency or whether she was going to go more in the direction of the way it was before.

This position has too much impact on, potentially, many, many small employers. All I am asking is that we don't do it today through unanimous consent but that we put it up for a vote when everyone is on record and when we can vet it more thoroughly.

Therefore, I object.

The PRESIDING OFFICER. Objection is heard.

The junior Senator from Illinois.

Ms. DUCKWORTH. Madam President, I am disappointed that the Senate is not able to confirm Ms. Gilbride today. As I said earlier, she is an excellent nominee to fill this role.

I look forward to working with my colleagues to move quickly and confirm her when we return in January.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CORNYN. 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. 7566

Ms. KLOBUCHAR. Madam President, I rise today in support of the No Trafficking Zones (NTZ) Act, which I have introduced with Senator CORNYN and which is led by Representatives SHEILA JACKSON LEE, JERRY NADLER, and MIKE MCCAUL in the House of Representatives. This important bill represents a crucial effort to address child trafficking on school campuses across the United States.

As a prosecutor, I saw firsthand the horrors of human trafficking, and I know that human trafficking is not just something that happens abroad; it happens far too often here at home. The National Center for Missing and Exploited Children has received reports of child sex trafficking in all 50 States, the District of Columbia, and Puerto Rico, and in 2021, it received more than 17,200 reports of possible child sex trafficking. This is a serious issue that requires our immediate action.

I have worked with my colleagues on both sides of the aisle to protect victims of human trafficking, strengthen key programs to support human trafficking survivors, and to hold traf-

fickers accountable for their crimes. But I remain concerned that too many victims of trafficking today are students. Schools should be a safe haven for students, but too often, traffickers target children near schools and after-school activities.

The No Trafficking Zones Act allows judges to increase a trafficking sentence when the trafficking occurs in a school zone or near a school-sponsored activity. This commonsense legislation represents a necessary step to not only deter child traffickers from targeting vulnerable children at schools, but also to hold them accountable for crimes that have reverberating consequences for victims and communities across the country.

Mr. CORNYN. Madam President, child sexual exploitation is one of the most heinous and persistent crimes our country and, indeed, the world face today.

Just yesterday, the FBI issued a national public safety alert in response to the explosion in financial sextortion cases in which children and teens are coerced into sending explicit images online and then extorted for money. In the last year, more than 3,000 minors have become victims of this crime.

I am proud of everything Congress has done and continues to do to combat sexual exploitation—particularly of minors—in all forms, especially human trafficking.

Just last night, the Senate unanimously passed the Abolish Human Trafficking Reauthorization Act, which I introduced with Senator KLOBUCHAR. I hope we can pass another bipartisan bill today to increase the punishment for those who exploit and recruit America's children into the sex trade.

A 2018 survey reported that 55 percent of young sex trafficking survivors in Texas were trafficked while at school or on school activities. Sixty percent of trafficked adults were first groomed or solicited for trafficking on school campuses.

Senator KLOBUCHAR introduced the NTZ Act to increase the punishment for human trafficking in school zones or at school-sponsored events.

Two of my fellow Texans have introduced a companion bill in the House, Congresswoman SHEILA JACKSON LEE and Congressman MICHAEL MCCAUL. I appreciate their leadership on this legislation. It is by conversations with Congresswoman SHEILA JACKSON LEE which have brought us to this point.

Having passed the House, this is our last chance, I believe, for both the Senate and the House to have cleared the bill and send it on to the President for his signature.

The NTZ Act passed the House unanimously in September, and I hope it can finally pass the Senate today and head to the President for his signature.

Madam President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of H.R. 7566, and that the

Senate proceed to its immediate consideration; further, that its bill be considered read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Mr. DURBIN. Madam President, reserving the right to object.

The PRESIDING OFFICER. The Democratic whip.

Mr. DURBIN. Madam President, first, let's state clearly for the record: Neither the Senator from Texas nor the Senator from Minnesota nor the Senator from Illinois wants to make it easier for these crimes to be committed. We are all committed to the same goal of reducing the number of crimes and making certain that those who are responsible pay the price for that misconduct—that terrible, disgusting misconduct.

I have worked with my colleagues on both sides of the aisle for years to help combat the scourge of human trafficking and to keep children safe from sexual exploitation.

Preventing human trafficking and protecting survivors are issues that really do bring us together, Republicans and Democrats.

The goal of this legislation is noble: to ensure that schools are a safe place for children, where traffickers cannot prey on their innocence. I wholeheartedly agree with this goal. We should be doing everything we can to deter traffickers, especially those who prey upon children. However, I cannot ignore the serious concerns about specific wording in this bill that is part of the legislation before us.

In particular, the Department of Justice, responsible for prosecuting these crimes of child sex trafficking, has identified a number of serious problems with the way that the No Trafficking Zone Act is written.

They sent us a memo. It is a lengthy memo, at least 4 to 6 pages of detailed analysis of this bill. I asked them to take it seriously and give us their serious report. They did.

In technical assistance provided to the sponsors of this legislation, including the Senator from Texas, the Department of Justice concluded that "this proposed legislation will only create confusion and additional hurdles for sentencing [child sex trafficking] offenders."

Listen carefully. The Department of Justice, that has the responsibility of prosecuting these crimes, analyzed this proposed change in the law and said it would create confusion and additional hurdles for actually sentencing those guilty of child sex trafficking.

I am sure the Senator from Texas did not have this intent, nor the Senator from Minnesota.

The Department of Justice also said the legislation is not "well-tailored to address child sex trafficking" and that "it is unnecessary since both statutes implicated already allow for a sentence up to life imprisonment."

In other words, according to the Justice Department, this bill, in its current form, will not lead to stiffer sentences for these horrible offenses and, in fact, may make it harder to prosecute child sex traffickers.

In light of these concerns, I have repeatedly offered to work with the author of this bill in the House of Representatives. My staff has communicated that we could revise this bill and expedite its passage into law. We could meet the same noble goal of the original legislation but do it in a way that is consistent with the express—express—concerns of the Department of Justice.

The changes needed are really quite simple. Instead of amending the applicable statutes, the amended legislation would ensure that the sentencing guidelines account for child trafficking that was committed in a school zone.

This simple revision guarantees that the recommended sentence for a defendant will be higher if the defendant knowingly committed the offenses in a school zone.

It also resolves all of the infirmities identified by the Department of Justice that could jeopardize prosecutions of child sex traffickers.

I want to make it clear. I take this matter very seriously, as I am sure the Senator from Texas and the Senator from Minnesota do. We watched carefully as the Department of Justice set their analysis. We responded to it in a responsible way, and we said to the House author of the bill, please accept these changes. They achieve your original goal, and do it in a way that would not make it more difficult to prosecute those who are guilty.

Unfortunately—unfortunately—so far, the author of this bill in the House of Representatives has refused to work with us on these changes.

Their position is that we cannot change a single word of the bill. That is not the approach to take when we are dealing with legislation of such a serious matter. We should take care that every word achieves the goal that we all want to seek—to lessen number of crimes of sex trafficking.

As a result, we are at an impasse because I am unwilling to pass legislation that the prosecutors tell us will make their job more difficult. And I believe that they are right, in our own analysis.

Madam President, for these reasons, I object to this request, but I reiterate, as I have over and over and over again to the House author, that I stand ready and more than willing to work with our colleagues in the House, along with Senator CORNYN and Senator KLOBUCHAR, to ensure that this legislation moves forward.

To express my good faith on this, I am going to make the following request: As in legislative session, I ask unanimous consent that the Committee on the Judiciary be discharged from further—let me start over so it is clear on the record.

Therefore, I object to the original request for unanimous consent, and I ask that the Senator from Texas modify his request such that the Durbin substitute amendment at the desk be considered and agreed to; the bill, as amended, be considered read a third time and passed; and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Does the Senator so modify his request?

Mr. CORNYN. Madam President, reserving the right to object, the Senator from Illinois asked why can't we change this bill. Well, first of all, this bill passed unanimously in the House. If we don't pass this bill today, it is dead, and the Senator's objection to this unanimous consent request will have effectively killed this legislation for this Congress, as he knows, because we start a new Congress and we will have to start all over from scratch.

I don't know when we decided to start outsourcing our authority as the Congress of the United States to the Department of Justice.

The fact of the matter is, the changes that the Senator is suggesting would basically be just to instruct the U.S. Sentencing Commission to amend their Federal sentencing guidelines to incorporate specific offense characteristics for any offense under this legislation. So, basically, he has got another way to build a mousetrap that doesn't really change anything except the fact that he will effectively have killed this legislation this Congress, and we will have to start all over again.

The reason why I am here today and why Congresswoman SHEILA JACKSON LEE is here on the floor is because this is a problem at schools in her legislative district, where human traffickers come and they try to recruit teenage kids—girls, mainly—high school and younger, into the sex trade. And we think it is appropriate that enhanced penalties attach to these criminals who commit these terrible crimes against children in our schools.

And, unfortunately, by deferring to the Department of Justice's criticism—they are a part of the executive branch. We are a coequal branch of government. It is our job to say what the law is, and it is their job to enforce it.

So I am sorry that the Senator from Illinois believes that the Department of Justice's ideas should prevail over those of the collective wisdom of both branches of the Congress. Like I said, this bill passed unanimously in the House of Representatives; but, because of his objection, it will effectively be dead for this legislative session. And I think it is a missed opportunity and a crying shame.

I object to his request to modify my request for unanimous consent.

The PRESIDING OFFICER. Objection is heard.

Is there objection to the original request?

Mr. DURBIN. I object.

The PRESIDING OFFICER. Objection is heard.

## EXECUTIVE SESSION

## EXECUTIVE CALENDAR

Mr. DURBIN. Madam President, I ask unanimous consent that the Senate proceed to executive session to consider the following nomination: Calendar No. 1195, Richard L. Revesz, of New York, to be Administrator of the Office of Information and Regulatory Affairs, Office of Management and Budget; that the Senate vote on the nomination without intervening action or debate; that the motion to reconsider be considered made and laid upon the table; and that the President be immediately notified of the Senate's action and the Senate resume legislative session.

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

The clerk will report the nomination.

The legislative clerk read the nomination of Richard L. Revesz, of New York, to be Administrator of the Office of Information and Regulatory Affairs, Office of Management and Budget.

Thereupon, the Senate proceeded to consider the nomination.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Revesz nomination?

The nomination was confirmed.

## LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

# AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2023—Continued

The PRESIDING OFFICER. The junior Senator from Delaware.

## AFGHAN ADJUSTMENT ACT

Mr. COONS. Madam President, I come to the floor for a few moments with a friend and a colleague, Senator LINDSEY GRAHAM of South Carolina, but speaking on behalf of a much broader group of Senators.

Senator AMY KLOBUCHAR of Minnesota has been my partner in this. We have 10 Senators who are cosponsors of an urgent bill, the Afghan Adjustment Act, and the message behind it is simple: that we have to do right by those who fought alongside us for 20 years.

Madam President, I have two letters with me that I will briefly reference that Shawn VanDiver and the great folks of #AfghanEvac pulled together and presented to us. They have been sent to the majority and minority leaders of the House and the Senate—one signed by 44 flag officers. And I will read one sentence:

We are convinced the Afghan Adjustment Act furthers the national security interests of the United States. It is also a moral imperative.

And the other, from every former Ambassador from the United States to