

elected a Republican House and a narrowly divided Senate to literally pump the brakes on this radicalism. But there is an old saying in Washington that “personnel is policy.” So while the American people put a stop to reckless legislation last November, President Biden continues to send reckless nominations to the Senate. They want to accomplish through Big Government regulations what the voters have stopped them from doing here in Congress.

This morning, for example, the HELP Committee is hearing from Julie Su, President Biden’s nominee to run the Department of Labor. Ms. Su has a lengthy track record for all—all—the wrong reasons.

Before entering the Biden administration, she presided over a disaster as head of the State labor department out in California. Tens of billions of dollars in fraudulent payments went out the door on her watch. The State auditor found Ms. Su and her department were totally asleep—totally asleep—at the switch on antifraud efforts. Even the Los Angeles Times had to label her performance—listen to this—an “epic failure.”

Our supply chains are already in enough peril, due in part to high-stakes labor negotiations. Think about the negotiations to keep open the ports on the west coast. Think about the ripple effects. Our national economy cannot afford a track record of “epic failure” leading our Department of Labor.

She also supported and helped implement a controversial new California law that essentially—listen to this—declared war on independent contractors and tried to give Big Labor special interests veto power over the entire gig economy. In essence, these far-left Democrats want every ride-share driver, hairdresser, or personal trainer to be reclassified and handled more like a corporate employee, all so that part of their paychecks could be vacuumed up and donated to leftwing political causes.

The same partisan inflexibility has defined Ms. Su’s time here in Washington as Deputy Secretary of Labor on the national level. From the powerful No. 2 job, she helped President Biden try to force that California model into our entire economy, a giant gift for Big Labor bosses at the expense of workers and consumers alike. She also signaled that she wants to help lead the far left’s crusade against the current joint-employer rule, yet another effort to give big-money union bosses even more power to squash innovation and skim money from workers’ paychecks.

What they can’t get through legislation, they fully intend to push forward through regulations. So it is no wonder that an unending parade of small business leaders, independent contractors, and other job creators have written the Senate literally begging us—begging us—to demand a fairer and more mainstream Labor Secretary. Confirming

this nominee would compound the economic pain the Biden administration has already caused.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

#### LEGISLATIVE SESSION

##### FIRE GRANTS AND SAFETY ACT— Resumed

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to S. 870, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (S. 870) to amend the Federal Fire Prevention and Control Act of 1974 to authorize appropriations for the United States Fire Administration and firefighter assistance grant programs.

Pending:

Schumer amendment No. 58, to add an effective date.

##### NOMINATION OF JULIE A. SU

Mr. THUNE. Mr. President, this morning the Senate Health, Education, Labor, and Pensions Committee is considering the nomination of Julie Su to be Secretary of Labor.

Before joining the U.S. Department of Labor as Deputy Secretary under President Biden, Ms. Su previously served as labor secretary for the State of California, and in that post, she was perhaps most notable for presiding over massive unemployment fraud during the COVID crisis. Unemployment fraud was a significant problem during the pandemic, but even with widespread fraud, California stood out for the scope of its problem.

During the first 6 months of the pandemic, California had an improper payment rate of 36.6 percent. Let that sink in for a moment—an improper payment rate of 36.6 percent. Ultimately, the State paid out around \$30 billion in fraudulent claims between the start of the pandemic and last spring.

Now, certainly, States faced an influx of unemployment claims during the pandemic that put additional pressure on unemployment agencies. But California’s fraud situation was not simply a result of an increased workload during the pandemic. It was also in part the result of Ms. Su’s decision to remove safeguards intended to help prevent fraudulent claims.

During the early days of the pandemic, Ms. Su directed the California

Employment Development Department to—in the words of the California State auditor—“pay certain claimants UI benefits without making key eligibility determinations and to temporarily stop collecting biweekly eligibility certifications.” These directives unquestionably helped smooth the path for widespread unemployment fraud as well as a significant number of improper payments.

It is difficult to know what President Biden was thinking when he decided to nominate someone who presided over massive unemployment fraud to be the next Labor Secretary. If that is what happened when Ms. Su was the labor secretary for a single State, it is difficult to see her as a qualified nominee to head the Labor Department for an entire country.

But my concerns with Ms. Su don’t end there. In addition to questions about her ability to effectively administer a Cabinet Department, I have serious concerns that Ms. Su would use her national platform to continue promoting policies that are hostile to workers.

During her time in California government, Ms. Su was a proponent of Assembly Bill 5, which is a piece of legislation that reclassified many workers who had been considered independent contractors as employees through a set of criteria known as the ABC test.

That test proved to be so unpopular and unworkable that ultimately dozens of occupations were exempted from the measure—so many that the list of exemptions ended up being longer than the text of the original bill. Even California voters recognized how problematic it was, which is why they approved Proposition 22, which specifically designated app-based rideshare and delivery drivers as independent contractors.

Now, people tend to think of Uber or Lyft as the prime example of gig work, but, in actual fact, gig workers and independent contractors make up a sizable percentage of the labor force and are part of a wide range of professions, from hairdressing to truckdriving to insurance adjustment. And a lot of gig workers and independent contractors are big fans of the freedom and independence that independent contracting provides and are not looking to be reclassified as employees.

A 2017 report from the Bureau of Labor Statistics found that a whopping 79 percent of independent contractors preferred their work arrangement to a traditional work arrangement. Less than 10 percent expressed a preference for a traditional job.

The truth is that laws like California’s arise not from a groundswell of gig worker dissatisfaction but from liberals’ commitment to Big Labor, which would like to see the majority of workers forced to pay dues.

Laws like California’s Assembly Bill 5 are supported by unions because they would put more workers in a position where they might end up joining unions, even if gig workers and independent contractors themselves don’t

want to find themselves in that position.

And Ms. Su's anti-gig-economy, anti-independent-contractor positions aren't limited to her time in California. During her time with the Department of Labor, Ms. Su has continued to attack independent contracting and gig work.

She presided over the Biden administration's proposed new worker classification rule last fall, which would force independent contractors and gig workers, who typically receive 1099 income, to reclassify as W-2 employees.

Gig workers who receive 1099 taxable income have the ability to deduct expenses, like mileage in the case of an Uber or Lyft driver, equipment rental costs, and home offices.

Forcing gig workers to reclassify as W-2 workers would mean that they could no longer avail themselves of some of these deductions, putting this significant sector of our economy at a financial disadvantage and reducing worker flexibility.

This new rule would, however, offer opportunities for labor unions to collect new members, which is, presumably, Ms. Su's and the Biden administration's goal.

President Biden, of course, is a big fan of Big Labor and has done everything he can to advance Big Labor's priorities. Ms. Su said as much last year to a group of labor activists. "The Department of Labor stands with you," she said. "The Biden-Harris administration stands with you. . . . And you have a president who has vowed to be the most pro-worker, pro-union president in history."

The President's and Democrats' ultimate goal here is passage of the PRO Act, which Ms. Su supports. This legislation, a major priority of Big Labor's, would implement a national version of California's Assembly Bill 5, only without the California bill's exemptions, as well as a number of other provisions designed to appease union bosses.

And if the PRO Act passed, its anti-independent-contractor provisions could wreak havoc on whole industries, like trucking, which would not only be bad for affected workers but for our entire economy.

The last thing that we need during a time of supply chain problems, for example, is an unnecessary reduction in the number of truckers carrying food and goods around our country.

I have introduced legislation in the past to help gig workers, and I was proud to join Senator TIM SCOTT this week in introducing his Employee Rights Act, legislation that would protect both union and nonunion workers and preserve the freedom of independent contractors to maintain their preferred work arrangements.

And I will continue to support measures to ensure that Americans have the freedom to choose the work arrangement that works for them, instead of being forced into arrangements preferred by the Democratic Party and by Big Labor.

Before I close, I also want to mention the hostility Ms. Su has demonstrated to franchises and the franchising model, which has provided economic mobility for so many in this Nation. She is a supporter of another disastrous California idea, the FAST Recovery Act, which is legislation passed by the California State Legislature and signed by the Governor that would give government appointees authority to micromanage franchise restaurants throughout California, including setting wages and working hours, among other decisions.

That law is so unpopular in her own home State that a million Californians signed a petition to add it as a ballot initiative in 2024 so that they can vote on whether the law should actually be implemented.

And the opposition is not surprising, when you consider that the measure would raise costs for restaurants and, according to the International Franchise Association, could increase prices at affected restaurants by as much as 20 percent.

Julie Su is a poor choice for Secretary of Labor, and I hope that some of my Democratic colleagues will join Republicans in acknowledging the serious concerns about both her policy positions and her ability to effectively administer the Labor Department and will urge the President to withdraw her nomination.

I yield the floor.

I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

Mr. VAN HOLLEN. Mr. 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. 85

Mr. VAN HOLLEN. Mr. President, I call up amendment No. 85 as provided under the previous order, and I ask that it be reported by number.

The PRESIDING OFFICER. The clerk will report the amendment by number.

The legislative clerk read as follows:

The Senator from Maryland [Mr. VAN HOLLEN] for himself and Ms. MURKOWSKI, proposes an amendment numbered 85.

The amendment is as follows:

(Purpose: To provide grants for fire station construction through the Administrator of the Federal Emergency Management Agency)

At the appropriate place, insert the following:

#### SEC. \_\_\_\_ ASSISTANCE TO FIREFIGHTERS FIRE STATION CONSTRUCTION GRANTS.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term "Administrator" means the Administrator of the Federal Emergency Management Agency.

(2) CAREER FIRE DEPARTMENT.—The term "career fire department" means a fire department that has an all-paid force of firefighting personnel other than paid-on-call firefighters.

(3) COMBINATION FIRE DEPARTMENT.—The term "combination fire department" means a fire department that has—

(A) paid firefighting personnel; and

(B) volunteer firefighting personnel.

(4) EMS.—The term "EMS" means emergency medical services.

(5) NONAFFILIATED EMS ORGANIZATION.—The term "nonaffiliated EMS organization" means a public or private nonprofit EMS organization that is not affiliated with a hospital and does not serve a geographic area in which the Administrator finds that EMS are adequately provided by a fire department.

(6) VOLUNTEER FIRE DEPARTMENT.—The term "volunteer fire department" means a fire department that has an all-volunteer force of firefighting personnel.

(b) GRANT PROGRAM.—The Administrator shall establish a grant program to provide financial assistance to entities described in subsection (c) to modify, upgrade, and construct fire and EMS department facilities.

(c) ELIGIBLE APPLICANTS.—The Administrator may make a grant under this section to the following:

(1) Career, volunteer, and combination fire departments.

(2) Fire training facilities.

(3) Nonaffiliated EMS organizations, combination and volunteer emergency medical stations (except that for-profit EMS organizations are not eligible for a grant under this section).

(d) APPLICATIONS.—An entity described in subsection (c) seeking a grant under this section shall submit to the Administrator an application in such form, at such time, and containing such information as the Administrator determines appropriate.

(e) MEETING FOR RECOMMENDATIONS.—

(1) IN GENERAL.—The Administrator shall convene a meeting of qualified members of national fire service organizations and, at the discretion of the Administrator, qualified members of EMS organizations to obtain recommendations regarding the criteria for the awarding of grants under this section.

(2) QUALIFICATIONS.—For purposes of this subsection, a qualified member of an organization is a member who—

(A) is recognized for firefighting or EMS expertise;

(B) is not an employee of the Federal Government; and

(C) in the case of a member of an EMS organization, is a member of an organization that represents—

(i) EMS providers that are affiliated with fire departments; or

(ii) nonaffiliated EMS providers.

(f) PEER REVIEW OF GRANT APPLICATION.—The Administrator shall, in consultation with national fire service and EMS organizations, appoint fire service personnel to conduct peer reviews of applications received under subsection (d).

(g) PRIORITY OF GRANTS.—In awarding grants under this section, the Administrator shall consider the findings and recommendations of the peer reviews carried out under subsection (f).

(h) USES OF FUNDS.—

(1) IN GENERAL.—A recipient of a grant under this section may use funds received for the following:

(A) Building, rebuilding, or renovating fire and EMS department facilities.

(B) Upgrading existing facilities to install exhaust emission control systems, install backup power systems, upgrade or replace environmental control systems (such as HVAC systems), remove or remediate mold, and construct or modify living quarters for use by male and female personnel.

(C) Upgrading fire and EMS stations or building new stations.

(2) CODE COMPLIANT.—In using funds under paragraph (1), a recipient of a grant under this section shall meet 1 of the 2 most recently published editions of relevant codes

and standards, especially codes and standards that—

(A) require up-to-date hazard resistant and safety provisions; and

(B) are relevant for protecting firefighter health and safety.

(i) GRANT FUNDING.—

(1) IN GENERAL.—The Administrator shall allocate grant funds under this section as follows:

(A) 25 percent for career fire and EMS departments.

(B) 25 percent for combination fire and EMS departments.

(C) 25 percent for volunteer fire and EMS departments.

(D) 25 percent to remain available for competition between the various department types.

(2) INSUFFICIENT APPLICATIONS.—If the Administrator does not receive sufficient funding requests from a particular department type described in subparagraphs (A) through (C) of paragraph (1), the Administrator may make awards to other departments described in such subparagraphs.

(3) LIMITATION ON AWARDS AMOUNTS.—A recipient of a grant under this section may not receive more than \$7,500,000 under this section.

(j) PREVAILING RATE OF WAGE AND PUBLIC CONTRACTS.—

(1) IN GENERAL.—All laborers and mechanics employed by contractors or subcontractors in the performance of construction work financed with the assistance of any contribution of Federal funds made by the Administrator under this section shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40, United States Code (commonly known as the "Davis-Bacon Act").

(2) OVERTIME.—Each employee described in paragraph (1) shall receive compensation at a rate not less than one and ½ times the basic rate of pay of the employee for all hours worked in any workweek in excess of 8 hours in any workday or 40 hours in the workweek, as the case may be.

(3) ASSURANCES.—The Administrator shall make no contribution of Federal funds without first obtaining adequate assurance that the labor standards described in paragraphs (1) and (2) will be maintained upon the construction work.

(4) AUTHORITY OF SECRETARY OF LABOR.—The Secretary of Labor shall have, with respect to the labor standards described in paragraphs (1) and (2), the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (5 U.S.C. App.) and section 3145 of title 40, United States Code.

(5) PUBLIC CONTRACTS.—Contractors and subcontractors performing construction work pursuant to this section shall procure only manufactured articles, materials, and supplies that have been manufactured in the United States substantially all from articles, materials, or supplies mined, produced, or manufactured in the United States in accordance with the requirements (and exceptions thereto) applicable to Federal agencies under chapter 83 of title 41, United States Code.

(k) APPLICABILITY.—Chapter 10 of title 5, United States Code, shall not apply to activities carried out pursuant to this section.

(l) REPORTING REQUIREMENTS.—

(1) ANNUAL REPORT TO ADMINISTRATOR OF FEMA.—Not later than 1 year after the date of enactment of this Act, and annually thereafter during the term of a grant awarded under this section, the recipient of the grant shall submit to the Administrator a report describing how the recipient used the amounts from the grant.

(2) ANNUAL REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, and annually thereafter until the date on which the rebuilding or renovation of fire facilities and stations are completed using grant funds under this section, the Administrator shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committees on Transportation and Infrastructure and Science, Space, and Technology of the House of Representatives a report that provides an evaluation of the effectiveness of the grants awarded under this section.

(m) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated \$750,000,000 for fiscal year 2024 to carry out this section. Funds appropriated under this Act shall remain available until expended.

Mr. VAN HOLLEN. Mr. President, our firefighters put their lives on the line every single day, charging into danger whenever duty calls. That is why we have a duty to back them up—not just in words but also in deeds by providing them with the resources and facilities they need and deserve.

The underlying bill today extends critical programs to provide training, equipment, and personnel, and I commend the chairman of the committee and the full committee for their action on this. But there is also an urgent need to repair crumbling, insufficiently safe firehouses. Nearly half of the fire stations across the country require major repairs. Forty-six percent of them do not have systems that prevent our first responders from being exposed to mold or cancerous carcinogens.

Some have proposed that we address this by taking funds from the assistance to firefighters grants for station construction, but that program is already overprescribed. In fact, in 2020 alone, over \$2 billion in requests competed for just \$319 million. That is why the firefighters oppose the amendment to poach moneys from the underlying fund.

This measure—this amendment does not poach those moneys. It adds an authorization so that we can have additional funds, when appropriate and if appropriated by the Congress, to provide for fire stations that are crumbling.

This is based on a bill, a bipartisan bill I introduced with Senator MURKOWSKI, and I appreciate her support for this amendment. In the House, this is also a bipartisan bill led by Congressman BILL PASCRELL. So I urge my colleagues to support this amendment.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. PETERS. Mr. President, I want to thank my colleague from Maryland for his support of the Fire Grants and Safety Act.

The amendment he is offering would authorize a new grant program at FEMA to fund fire station construction. And while I fully support increased Federal resources for this purpose, I must, unfortunately and reluctantly, vote no on this particular amendment.

This language has not been moved through committee, and FEMA has not

had the opportunity to provide input to ensure that this bill achieves its intended goal.

But let me say again: I fully support this effort, fully support the Senator from Maryland, and agree with him totally that we need to have more resources to help our communities upgrade their fire stations. This is an urgent need.

I also agree we want to make sure that we are not raiding the current fund for this purpose, which is why the next amendment coming up, I will also be voting no. But I fully intend to work with the Senator from Maryland to move towards a markup on his stand-alone bill, on this very topic, which has been referred to the Homeland Security and Governmental Affairs Committee, a committee in which I chair.

But I will reluctantly be voting no on this amendment.

VOTE ON AMENDMENT NO. 85

The PRESIDING OFFICER. The question now occurs on agreeing to amendment No. 85.

Mr. VAN HOLLEN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. SCHUMER. I announce that the Senator from Illinois (Mr. DURBIN), the Senator from California (Mrs. FEINSTEIN), and the Senator from Pennsylvania (Mr. FETTERMAN) are necessarily absent.

The result was announced—yeas 46, nays 51, as follows:

[Rollcall Vote No. 92 Leg.]

YEAS—46

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

NAYS—51

|           |            |            |
|-----------|------------|------------|
| Barrasso  | Fischer    | Paul       |
| Blackburn | Graham     | Peters     |
| Boozman   | Grassley   | Ricketts   |
| Braun     | Hagerty    | Risch      |
| Britt     | Hawley     | Romney     |
| Budd      | Hoeben     | Rounds     |
| Capito    | Hyde-Smith | Rubio      |
| Carper    | Johnson    | Schmitt    |
| Cassidy   | Kennedy    | Scott (FL) |
| Collins   | Lankford   | Scott (SC) |
| Cornyn    | Lee        | Sullivan   |
| Cotton    | Lummis     | Thune      |
| Cramer    | Manchin    | Tillis     |
| Crapo     | Marshall   | Tuberville |
| Cruz      | McConnell  | Vance      |
| Daines    | Moran      | Wicker     |
| Ernst     | Mullin     | Young      |

NOT VOTING—3

|        |           |           |
|--------|-----------|-----------|
| Durbin | Feinstein | Fetterman |
|--------|-----------|-----------|

The PRESIDING OFFICER (Mr. KING). On this vote, the yeas are 46, the nays are 51.

Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is not agreed to.

The amendment (No. 85) was rejected.

The PRESIDING OFFICER. The majority leader.

TRIBUTE TO PATTY MURRAY

Mr. SCHUMER. Mr. President, it is a great moment—or a few moments ago it was a great moment, but it continues to be. Our dear friend Senator PATTY MURRAY reached an amazing milestone—10,000 votes over the course of her career in the Senate, the first woman Senator in American history to do so.

(Applause.)

We are not supposed to clap, but every once in a while, breaking protocol is appropriate, as it is now.

It is a remarkable accomplishment for a truly remarkable public servant. Her accomplishments—if she had just cast 10,000 votes, that would be pretty good, but her accomplishments go way beyond that and often dwarf it. She was also the first woman to serve in several Senate leadership positions: chair of the Veterans' Affairs Committee; chair of the Budget Committee; and, of course, at the beginning of this Congress, she made history as the first woman ever to serve as President pro tempore of the Senate.

She is a voice the Senate and the country rely on, on some of the biggest issues we face. When she speaks, everyone listens—Democrats, Republicans, liberals, conservatives, Independents—because they know that she has studied it carefully and it comes right from the heart; it is not political calculation in any way. In issues like healthcare, environment, labor rights, pension, childcare, there is PATTY MURRAY as a beacon—not just a speaker, not just a legislator, but a beacon—to all of us.

And, let me tell you, she has been such a valued member of my leadership team through the years, where she did so, so much, and I relied on her for advice. I know her phone number by heart because I call her so much.

Let's take a moment to recognize and congratulate this great person, this great woman, this great Senator, this great friend, this great Member of the U.S. Senate, Senator PATTY MURRAY.

(Applause.)

The PRESIDING OFFICER. The Republican leader.

Mr. McCONNELL. Mr. President, if I may say to our colleague from Washington, I remember, as you certainly do, that 1992 was declared the "Year of the Woman," and a number of women were elected to the Senate. But you were the leader of the group, and you have had an extraordinarily successful career, and I wanted you to know that people on both sides of the aisle admire your service. And congratulations.

Mrs. MURRAY. Thank you very much.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I just wanted to add my congratulations to

my friend and colleague Senator MURRAY for casting her 10,000th vote. She has been such a remarkable leader, a steady force, a hard worker, and it has been wonderful to work in partnership with her on the Appropriations Committee.

PATTY, congratulations, and we look forward to many more extraordinary accomplishments.

Mrs. MURRAY. Thank you.

The PRESIDING OFFICER. The Senator from Alaska.

AMENDMENT NO. 83

Mr. SULLIVAN. Mr. President, I call up my amendment No. 83 and ask that it be reported by number.

The PRESIDING OFFICER. The clerk will report the amendment by number.

The legislative clerk read as follows:

The Senator from Alaska [Mr. SULLIVAN] proposes an amendment numbered 83.

The amendment is as follows:

(Purpose: To improve the bill)

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . ELIGIBLE USE FOR GRANT FUNDS.**

Section 33(c)(3) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229(c)(3)) is amended—

(1) by redesignating subparagraphs (K) through (N) as subparagraphs (L) through (O), respectively; and

(2) by inserting after subparagraph (J) the following:

“(K) To construct in communities with not more than 10,000 individuals fire stations, fire training facilities, and other facilities to protect the health and safety of firefighting personnel.”.

Mr. SULLIVAN. Mr. President, I ask unanimous consent that there be 4 minutes of debate, equally divided.

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

Mr. SULLIVAN. Mr. President, every job in America is important, but there is something special, sacred, even noble about a job that entails putting your life on the line to keep your fellow citizens safe, and that is the job of our firefighters.

In Alaska, firefighting season will be upon us soon. It can be brutal. In 2005, roughly 6 million acres of the State burned. That is about the size of Vermont. Think about the dedication and courage it takes to fight those fires, many of which are in rural parts of our States. It is only right that when firefighters come to Congress asking for assistance, that we give them the flexibility they truly need.

So why is my amendment necessary? Currently, the Assistance to Firefighters Grants Program only allows modification to existing fire stations rather than new facilities.

Many old firefighting facilities can't be modified. A 2021 report by the U.S. Fire Service found that 44 percent of fire stations are over 40 years old. The issue is even more acute in rural parts of our country where facilities have problems which cannot be fixed through maintenance and repair alone. For example, roughly 61 percent of fire stations over 40 years old exist in com-

munities serving less than 10,000 people.

So, Mr. President, my amendment is simple. It costs zero dollars. It gives discretion to the firefighters in rural communities to allow Federal grants to small communities of less than 10,000 people to use the Federal funds to build new stations. That is it: a simple, commonsense amendment backed by data to help firefighters in small communities in America who often don't have the tax base to build new facilities.

We should help them. We all have rural communities that need this help. I urge my colleagues to support this commonsense amendment.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, first of all, I have to also lend my voice in congratulations to Senator PATTY MURRAY. We are so proud of her and look to her for her leadership. It is an honor to serve with her in the leadership in the Senate, but she is just an extraordinary Member. And 10,000 votes—that is a lot of votes, and we should all continue to be very grateful for her leadership. So congratulations.

Mr. President, this amendment is one that, in spirit—I mean, I agree with the need. Senator SULLIVAN and I have talked about the fact that I think he identified something that is very important for small rural communities. It is, however, duplicative of work we already do through rural development in USDA.

The USDA has Community Facilities Programs. They provide grants and loans and loan guarantees for essential community services in rural areas of 20,000 residents or less, including public safety.

Communities have used this for firetrucks, fire department construction, and fire equipment that Senator SULLIVAN has talked eloquently about. Last year, it was nearly \$100 million in assistance to rural fire departments.

So I told Senator SULLIVAN that we will have, in the next number of months, the farm bill reauthorization on the floor. I want to work very much with him on how we might be able to more focus or strengthen this program that already exists. The farm bill is coming up. I believe that is the place for us to address what is a very important issue.

So I would urge my colleagues to channel their support to rural first responders into supporting this particular program in the upcoming farm bill reauthorization.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. PETERS. Mr. President, I ask unanimous consent to speak for 1 minute on the amendment.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. PETERS. Mr. President, I appreciate my colleague from Alaska's support and cosponsorship of the Fire

Grants and Safety Act before us, and I also appreciate and fully agree with this amendment to help smaller communities build new facilities.

But I urge my colleagues to oppose the amendment because of the unintended consequences it would have. The Assistance to Firefighters Grant Program historically receives applications for five times the amount of funding that is available. In 2020, there were \$2 billion in requests for only \$300 million available in funding. This program is massively oversubscribed, and that is why all of the major firefighting services in this country oppose this amendment. That includes the International Association of Fire Chiefs, the International Association of Fire Fighters, the National Volunteer Fire Council, and the National Fallen Firefighters Foundation. All are calling for clean passage of the Fire Grants and Safety Act without amendment.

I know my colleague shared the goal of the good Senator from Alaska. I do as well, but I urge my colleagues to oppose this amendment, join with our firefighters all around the country. Let's send a clean firefighting bill to the House.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. SULLIVAN. I ask unanimous consent for 30 seconds to respond.

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

Mr. SULLIVAN. Mr. President, again, I want to work with Senator STABENOW on this issue, but we have an opportunity right now.

Every Senator knows that our firefighters in small communities come to the Senate and ask for help because they don't have the tax base to actually build new facilities. And the facilities, as I mentioned, are very, very old.

All this amendment does is add a new category to request for assistance only from communities of 10,000 people or less. It is common sense. We all know it is needed. Again, I encourage my colleagues to support it.

I respect all the firefighter groups who are saying they oppose it, but the only reason they are opposing it is because they say they want a clean bill. You know what, sorry, but that is not a very good argument.

I urge the support of this amendment No. 83.

#### VOTE ON AMENDMENT NO. 83

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

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) is necessarily absent.

Mr. MCCONNELL. The following Senator is necessarily absent: the Senator from Missouri (Mr. HAWLEY).

The result was announced—yeas 42, nays 56, as follows:

[Rollcall Vote No. 93 Leg.]

#### YEAS—42

|           |            |            |
|-----------|------------|------------|
| Barrasso  | Ernst      | Mullin     |
| Blackburn | Fischer    | Murkowski  |
| Boozman   | Graham     | Paul       |
| Braun     | Grassley   | Ricketts   |
| Britt     | Hagerty    | Risch      |
| Budd      | Hoeven     | Rubio      |
| Capito    | Hyde-Smith | Scott (FL) |
| Cassidy   | Johnson    | Scott (SC) |
| Cornyn    | Kennedy    | Sullivan   |
| Cotton    | Lankford   | Thune      |
| Cramer    | Lummis     | Tillis     |
| Crapo     | Marshall   | Tuberville |
| Cruz      | McConnell  | Vance      |
| Daines    | Moran      | Wicker     |

#### NAYS—56

|              |           |            |
|--------------|-----------|------------|
| Baldwin      | Hirono    | Rounds     |
| Bennet       | Kaine     | Sanders    |
| Blumenthal   | Kelly     | Schatz     |
| Booker       | King      | Schmitt    |
| Brown        | Klobuchar | Schumer    |
| Cantwell     | Lee       | Shaheen    |
| Cardin       | Lujan     | Sinema     |
| Carper       | Manchin   | Smith      |
| Casey        | Markey    | Stabenow   |
| Collins      | Menendez  | Tester     |
| Coons        | Merkley   | Van Hollen |
| Cortez Masto | Murphy    | Warner     |
| Duckworth    | Murray    | Warnock    |
| Durbin       | Ossoff    | Warren     |
| Fetterman    | Padilla   | Welch      |
| Gillibrand   | Peters    | Whitehouse |
| Hassan       | Reed      | Wyden      |
| Heinrich     | Romney    | Young      |
| Hickenlooper | Rosen     |            |

#### NOT VOTING—2

|           |        |
|-----------|--------|
| Feinstein | Hawley |
|-----------|--------|

The amendment (No. 83) was rejected.

#### AMENDMENT NO. 58 WITHDRAWN

The PRESIDING OFFICER. Under the previous order, amendment No. 58 is withdrawn.

The amendment (No. 58) was withdrawn.

The Senator from Texas.

#### SOUTHERN BORDER

Mr. CORNYN. Mr. President, since President Biden took office just a little over 2 years ago, more than 348,000 unaccompanied children have crossed our southern border. To be clear, these 348,000 children did not arrive in the United States by themselves. Children often make this dangerous journey with friends, neighbors, or other relatives, and, of course, in the custody of transnational criminal organizations—or what are otherwise known as coyotes—that get paid to smuggle people into our country.

The sad reality is that many of these children come to the country in the care of these cartels, human smugglers, coyotes. Parents pay smugglers thousands of dollars to bring their child to the United States, but the truth is, the money doesn't guarantee their safety. The journey to the southern border is not easy or safe. Children are subjected to violence, exploitation, and sexual abuse on the way to the United States. Why in the world would anybody think, if I turn my child over to a criminal organization that will smuggle them into the United States—how in the world would they ever have the confidence that they would be safely transported here? So it, sadly, is not surprising.

As folks along the southern border in our border communities in Texas will

tell you, trying to help these migrant children when they get here is no small task. There are laws that spell out how long a child can remain in custody, as well as the resources they must receive, things like, of course, food, water, medical care, and adequate supervision. And I believe we do have a responsibility, once those children get to our border and into our custody, to make sure they are safe and well cared for.

Given the huge number of children crossing the border every week due to the administration's open border policies, that job—caring for these unaccompanied children—has gotten nothing but more difficult, and we have seen the harrowing consequences.

At the start of the Biden administration, holding cells in detention facilities were lined with children and other teens sleeping on gym mats, with only a thin aluminum blanket to keep them warm. Thousands of children were stuck in Border Patrol facilities, which were never designed to hold children in the first place, but many were detained out of necessity beyond the 72-hour limit contained in the law at massive public facilities like the Freeman Coliseum in San Antonio. These were used as emergency shelters because there was nowhere else to put them.

But, unfortunately, most of the public lost interest in these children after that point. Certainly, the Biden administration appears to have lost interest in these children once they made it past the border and were released from these various detention facilities, because once children were placed with sponsors in the United States, save for a couple of isolated reports that should have served as warning beacons, Congress and the public didn't have any information about how they were doing, whether they were healthy, whether they were being treated appropriately—anything about their well-being.

Well, that information deficit was recently filled by an investigative story by the New York Times. In February, the Times published its first story detailing the widespread child exploitation of migrant children. It includes stories of unaccompanied migrants who were working in dangerous jobs that violate child labor laws—for example, a 15-year-old girl who packages cereal at night in a factory; a 14-year-old boy who works on a construction job instead of going to school; a 13-year-old child day laborer; children working in meat processing plants, commercial bakeries, and for suppliers for automakers. This is all documented in the investigative report by the New York Times. We aren't talking about part-time gigs after going to school; these are grueling and dangerous full-time jobs that are meant for adults, not children.

So the big question is how they got there. How on Earth did the Biden administration allow so many vulnerable children to be exploited? After all, the

administration should have been aware of the history of migrant children being exploited by their sponsors.

In 2014, the Office of Refugee Resettlement placed eight children with members of a human trafficking ring who posed as family or friends. These children were forced to work on an egg farm in Ohio with no pay for 12 hours a day, 6 or 7 days a week. They lived in deplorable conditions and were threatened with violence unless they complied. It was a disgusting and heart-breaking case of abuse that rightfully garnered a lot of attention. Given the sheer volume of cases the Biden administration has managed the last 2 years, it should have been on alert for similar stories and similar cases.

The percentage of sponsored children who could not be reached a month after their release increased from 20 percent in 2020 to 34 percent in 2021.

Let me say that again. These children are supposed to be placed with sponsors checked out by the administration, by Health and Human Services, but in 2020, 20 percent of those children were unaccounted for 1 month later, and in 2021, it was 34 percent.

Unfortunately, these warning signs went ignored, and the Biden administration did nothing to try to correct the problem.

As the Biden border emergency crisis ramped up, emergency shelters were filling up, and the administration had a major public relations problem on its hands. Its top priority wasn't, apparently, the safety of these children but the speed at which they could be moved from the border to sponsors, with no followup.

The Biden administration wanted to get these children out of the shelters and into the care of these sponsors as quickly as possible. To make that possible, Health and Human Services loosened vetting requirements and urged case managers to move faster, with little regard for the danger that was created for these migrant children.

In a staff meeting last September, Secretary Becerra reportedly told employees:

If Henry Ford had seen this in his plants, he would never have become famous and rich. That is not the way you do an assembly line.

This is the Secretary of Health and Human Services, a person who is leading the Agency that is meant to care for these children, and he is telling his employees to create a manufacturing assembly line. He deliberately pushed for speed, speed, and more speed because of the public relations problems that the administration was experiencing.

Just 1 year earlier, during Secretary Becerra's tenure, nearly a dozen managers from the Office of Refugee Resettlement sent a memo expressing their concerns about labor trafficking—exactly the problem the New York Times investigation exposed. They said they feared that the Office had come to reward speed over safety. But apparently nothing changed.

Earlier this week, the New York Times published yet another story with even more details on the administration's failure to protect migrant children. One of the most startling revelations was the sheer scale of the crisis.

This chart shows the number of calls to Health and Human Services each month reporting trafficking, neglect, or abuse of migrant children who have been placed with sponsors by the U.S. Government—specifically by the Biden administration's Health and Human Services Department. As you can see, the Department was receiving fewer than 50 calls a month back in 2018, but that number climbed in 2019 and 2020, and starting in 2021, the number of calls skyrocketed. And of course these weren't just cases in which somebody spotted abuse and spoke up. We have no idea how many cases went unreported. But it has become breathtakingly clear that this widespread abuse wasn't caused by missteps; it was a result of intentional policy decisions from top administration officials.

As it turns out, the White House and Federal Agencies were alerted again and again that these children were at risk and did nothing.

In 2021, the most senior career member of the Office of Refugee Resettlement sent an email to her bosses warning them that children were likely to be placed in dangerous situations. When her warning was ignored, she filed a complaint and requested whistleblower protection. Not long after, she was moved out of her position. She then filed another complaint arguing that she was retaliated against—a move that is against the law.

Sadly, this is not an isolated event. Within Health and Human Services, at least five staffers have filed complaints and said they were pushed out of their jobs for sharing concerns with their leadership about this extraordinary crisis of abuse or neglect.

Well, the Labor Department was aware of child labor violations too. Last year, investigators identified major instances of child labor violations that took place in auto parts factories and meatpacking plants. As they continued to uncover more and more cases of migrant children being exploited, the Department shared its concerns with the White House. Former Labor Secretary Marty Walsh confirmed that the Department included details about these situations in its weekly reports to the White House, so the White House was clearly informed about these issues. In December, the Labor Department even released a public report showing a 69-percent increase in child labor violations since 2018.

Well, miraculously, the White House now claims to have no knowledge of this disturbing trend. Susan Rice, who serves as Director of the White House Domestic Policy Council, which oversees virtually every aspect of domestic policy affairs, claims no knowledge of this problem.

We know that when the border crisis reached its fever pitch during the sum-

mer of 2021, Ms. Rice's team received a memo from Health and Human Services' managers about labor trafficking. Two people confirmed that Ms. Rice was told about the contents of the memo, but the White House now disputes that claim.

Health and Human Services also provided the White House with frequent updates on a group of children being exploited in Alabama, but the White House now says senior officials were never made aware of this situation.

Again and again, the Biden administration was told but failed to heed the warnings of these migrant children being exploited.

And, now, after major investigative reporting has been done by the New York Times, they refuse to accept responsibility and apologize. Instead, they have decided the blame game is what they need to do. So HHS blames the Labor Department for failing to enforce child labor laws. The Labor Department says it shared information with HHS and the White House, but they failed to respond. The White House blames both Departments because, even though they passed along information about potential abuse, they somehow didn't mark it as urgent.

Well, to state the obvious, the Biden administration shouldn't need to be told that potential child exploitation is an urgent matter and deserves attention. It is self-evident. Given the history of migrant children being exploited and the massive scale of President Biden's border crisis, the administration should have been on top of this from the beginning. Clearly, they weren't, and they still aren't. Ultimately, the children they claim to be helping are the ones paying a terrible price.

As the New York Times makes clear, the Biden administration knew the children were being exploited and willingly failed to act. It repeatedly brushed aside warnings and continued to prioritize speed over safety.

So the American people need to know: Is this an example of gross negligence, of whistleblower chilling, or, just simply, a willful violation of the law by the Biden administration?

Right now, the answer to all of those questions appears to be a big and resounding yes.

We need answers from Secretary Becerra, the Secretary of Labor, and Susan Rice on how this could possibly be allowed to happen and how it could continue to happen as I speak. We need accountability, and we need to see proof that there are changes being implemented to prevent this from happening in the future.

Time and time again, the Biden administration has claimed that its approach to the border and immigration is fair, orderly, and humane. But there is nothing fair about putting children in the care of people who will exploit them. There is nothing orderly about ignoring warnings of child labor violations, and there is nothing humane



about the way migrant children are suffering in silence across America.

Every Member of this Chamber, Republicans and Democrats alike, should be absolutely outraged by the Biden administration's abdication of responsibility—of their obligation and our obligation—to protect these migrant children.

I hope, now that the New York Times has detailed the abuses that are occurring, that it will somehow finally get the attention of the Biden White House, and they will finally take appropriate action to protect these children they claim to be helping but who are, in fact, being sacrificed to those who would exploit them and take advantage of them.

I yield the floor.

The PRESIDENT pro tempore. The Senator from Nebraska.

#### ELECTRIC VEHICLES

Mrs. FISCHER. Madam President, this Presidential administration has consistently been marked by egregious overreach. Over the past few months, we have seen them trying to regulate everything from our State water to our personal retirement funds. Now the Biden administration wants to control which cars Americans are able to drive.

Last week, the Environmental Protection Agency issued new regulations cracking down on vehicle emissions. These new standards make it harder for people to drive gas-powered cars in an attempt to coerce Americans into purchasing new electric vehicles, or EVs—vehicles that cost about as much as the average family makes in a year.

These regulations are part of a so-called emissions plan, but there is nothing realistic about what the Biden administration is trying to do. The administration says it wants 67 percent of the cars in this country to be electric by 2032—just 9 years from now. Last year, EVs only accounted for 6 percent of new car sales. And the International Energy Agency predicts that, by 2030, EVs will only make up 15 percent of the vehicles in our country.

We need to tell it like it is. The White House's plan is based on the speculative wish that EVs will make an inconceivable jump from a tiny fraction of our vehicles to the majority of them in less than a decade. The so-called plan is really a pipe dream, and the facts show that the EPA's goals are highly unlikely, if not impossible. The administration is using its imagination to try and create a world that real Americans don't even want, and, in the process, it is ignoring the many complexities at play when it comes to electric vehicles.

Let's talk about some of those complexities.

Electric vehicles rely on the electric power grid, and a massive increase in EV use, like the Biden administration wants, could cause serious issues with the grid. During a heat wave last September, power authorities in California had to ask residents to avoid charging their electric cars in the evenings for

fear that the power grid would malfunction from being overwhelmed.

Imagine what would happen if EV use increased exponentially like the Biden administration wants. If EV use is going to increase, it should be a natural growth driven by consumers rather than an artificial spike manufactured by the government. That way, power producers and electrical grids would have time to grow and adapt to new spikes in electricity demand.

The EV mandate also overlooks some serious public safety concerns. Electric vehicles can weigh up to three times as much as gas-powered cars because of their heavy batteries. The force of an EV hurtling toward another car in a crash is intensified by all that weight. A heavy EV accidentally crashing into a lighter, older car is a recipe for severe injury or death—the heavier the car, the higher the risk of fatality in a crash.

The Biden administration itself admits this. National Transportation Safety Board Chair Jennifer Homendy said that she was “concerned about the increased risk of severe injury and death for all road users from increasing size, power, and performance of vehicles on our roads, including electric vehicles.”

I would point out that this safety risk disproportionately affects women. A report released last month by the Government Accountability Office found that crash tests, which identify car safety issues that might endanger passengers in an accident, don't use physiologically accurate female dummies. Some only use male dummies. They don't even attempt to test car safety on the female body. This is part of why crashes injure and kill women at higher rates than men. Before mandating a rush of electric vehicles on the roads, the Biden administration needs to find a solution to the risk these cars can pose, especially to women.

Heavy cars, like EVs, put extra stress and damage on our roads as well. Their weight pulverizes the roadbed, causing more maintenance, more upgrades, and more costs. But, right now, only gas-powered cars pay into the highway trust fund, or the HTF, which provides 90 percent of Federal highway assistance. This fund repairs wear and tear from vehicles on the highway. The sale or charging of EVs doesn't contribute anything to the highway trust fund, but the highway trust fund exists to fix exactly the type of damage that heavy EVs can cause. So it is only fair that both gas-powered and electric vehicles pay into that fund.

I plan to introduce a bill soon that would fix this discrepancy. We need to do this to address some of the complexities at play with electric vehicles and especially a unilateral government mandate that would push for so many on our roads so soon.

The electricity and road concerns related to EVs should be enough to temper the Biden administration's fanciful ambitions for a massive electric vehi-

cle push, but the repercussions of a Federal EV mandate go beyond America's borders. We know that China completely dominates the EV battery supply chain, and, you know, that is not going to change anytime soon, as 60 to 100 percent of all battery minerals are processed in China, according to an energy think tank known as SAFE. Our domestic supply—well, it is not anywhere near the demand that would result from this new legislation.

And it is so ironic that many of the same activists who support an electric vehicle mandate oppose—they oppose—the U.S. mining needed to make EV batteries. They would rather use horrible mining practices in other countries and support very dangerous working conditions for those miners.

Also, this means that a push for EVs is a push for energy dependence on China, and China, we all know, is not our friend, as news this week about a secret Chinese police station in New York City reminds us. Our turbulent relationship with the Chinese Communist Party means it will use any dependence that we have on China to its own advantage.

Americans don't want to rely on China for our vehicles, but studies also show that Americans aren't even interested enough in EVs to merit a government mandate. A recent Pew Research poll found that the majority of Americans opposes the Biden administration's plan to phase out gasoline-powered cars and trucks by 2035. A Gallup poll found that 4 percent of Americans own an EV—4 percent—and that only 12 percent are seriously considering getting one. And 41 percent claim that they would never buy an EV.

Sixty percent of people say they think EVs are too expensive. The price of EVs would have to come down by about \$15,000 for the average American to see them as real competitors to gas-powered cars.

Americans have the right to buy electric vehicles if they so choose, and I support that right, but they should also have the right not to buy one. Our government is supposed to be of the people, by the people, and for the people, but, frankly, this Federal mandate is of the EPA, by the EPA, and for the EPA. It is not based on the interests of the American people, only the interests of a power-hungry White House.

President Biden is prioritizing electric vehicles—and, by extension, the small slice of Americans that wants and can afford EVs—without adequately considering the effects of a top-down government mandate on energy security and the lives of the American people.

In closing, the Biden administration's plan for a utopia of perfectly green vehicles is a cute idea, but it is completely out of touch with reality. It is also out of touch with Americans' real needs and desires.

This administration has got to stop with these top-down mandates that force Americans into outcomes that

they wouldn't choose themselves. In the meantime, I hope my Senate colleagues will join me in advocating for what Americans really want and pushing back on this administration's overreach.

I yield the floor.

S. 870

Mr. CARDIN. Mr. President, I rise in support of S. 870, the Fire Grants and Safety Act. This critically important legislation reauthorizes several important programs in the Department of Homeland Security—DHS. Specifically, the legislation reauthorizes the Federal Emergency Management Agency's—FEMA—Assistance to Firefighters Grants—AFG—grant program, the Staffing for Adequate Fire and Emergency Response—SAFER—grant program, and the U.S. Fire Administration—USFA. Without action by Congress, the authorizations for these programs will lapse in September 2024.

AFG grants help ensure that departments have the resources they need to train and equip their personnel. This includes vital personal protective equipment that firefighters and EMS personnel need to do their jobs safely.

SAFER grants help ensure departments can meet staffing requirements through hiring of firefighters and recruitment and retention activities.

I am particularly proud of the work of USFA, which is headquartered in Emmitsburg, MD. Its mission is to support and strengthen fire and emergency medical services—EMS—and stakeholders to prepare for, prevent, mitigate and respond to all hazards. USFA ensures that the fire service is prepared to respond to all hazards and is the lead Federal agency for fire data collection, public fire education, fire research, and fire service training. USFA offers classes on critical topics pertaining to emergency medical services, fire prevention, arson investigation, hazardous materials incidents, incident management, leadership and executive development, planning and information management, responder health and safety, wildland and the urban interface.

As our Nation faces increasing extreme weather events due to climate change, we can expect even stronger natural disasters to afflict our Nation, including more damaging hurricanes, tornadoes, and wildfires. Firefighters receive millions of calls each year for help beyond just fires and often respond to medical emergencies, hazardous materials spills, natural disasters, and active shooter situations. According to the National Fire Protection Association, fire killed 3,800 people and injured another 14,700 people in 2021. Property damage in 2021 reached nearly \$16 billion due to fires. And America's firefighters paid the ultimate price while running toward danger; in 2021, 141 firefighters died while on duty.

The National Fallen Firefighters Foundation is located on the campus of the National Emergency Training Cen-

ter in Emmitsburg, along with the USFA. Last year, I was pleased that the foundation received a nearly \$1.5 million grant for its important work. USFA estimates more than 2,000 civilians died in residential fires in 2022.

Communities across Maryland regularly rely on these grant programs to help provide equipment, facilities, and training for their firefighters, whether they are career or volunteer. Indeed, many volunteer fire departments do not receive any local or municipal funds and must fundraise on their own in order to continue operating their essential and lifesaving emergency services in their communities.

In Western Maryland, just by way of one example, these grants programs provide critical funding to enhance firefighters' emergency response capabilities and their ability to protect the health and safety of the public and themselves. These grants also support the recruitment and retention of additional firefighters.

In 2022, these grants allowed Frederick County to hire full-time firefighters; Washington County to provide new portable radios for Fire and EMS departments across the county; the Borden Shaft Volunteer Fire Company No. 1 in Allegany County to purchase vehicle extrication and rescue tools; and the Community Volunteer Fire Company, Inc., of District No. 12 in Washington County to purchase a gear washer and dryer.

Indeed, according to a recent fire services coalition letter supporting this legislation: "All across the country, local fire departments of all types and sizes do not have enough staff, training, personal protective clothing, breathing apparatus, and other equipment. The SAFER and the AFG programs help ensure fire and emergency services personnel across the country are properly trained, staffed, and equipped to protect their communities. These programs improve response capabilities across all emergency response areas—from fires to medical aid and hazardous materials response."

A recent fire service needs assessment survey from the National Fire Protection Association noted that most small fire departments have personal protective equipment that is 10 years of age or older and that most fire departments cannot equip every firefighter with a self-contained breathing apparatus, with again much of the equipment being 10 years of age or older. That same survey noted: "Staffing levels across job roles and functions have remained flat and weekday staffing among volunteer fire departments remains a challenge."

I therefore urge my colleagues to support this legislation, and reauthorize these critical FEMA programs so that we give our heroic firefighters the resources, equipment, and training that they need to carry out their dangerous missions as safely as possible as they protect and serve the public.

The PRESIDENT pro tempore. The majority leader.

Mr. SCHUMER. Madam President, I ask unanimous consent that I be permitted to speak for 2 minutes following Senator PETERS, who will speak up to 3 minutes, prior to the scheduled rollcall vote.

The PRESIDENT pro tempore. Is there an objection?

Without objection, it is so ordered.

The Senator from Michigan.

Mr. PETERS. Madam President, in just a few moments, each of our colleagues will have the opportunity to cast their vote for a bipartisan bill that provides essential Federal resources to fire departments all across our country.

The Fire Grants and Safety Act reauthorizes two vital grant programs administered by the Federal Emergency Management Agency that provide funds to help fire departments purchase safety equipment, address staffing needs, fund fire training and education programs, and provide cancer screenings to firefighters.

The legislation also reauthorizes the U.S. Fire Administration, which works to support fire and emergency medical services as they help safeguard our communities.

Federal grants enable many firefighters, especially those in smaller and rural communities, to invest in the vehicles, equipment, or training they need to do their job safely and effectively.

I have had the opportunity to visit several fire stations across Michigan to see firsthand how they use these vital grant programs to purchase extraction tools like the Jaws of Life and up-to-date breathing equipment to keep firefighters safe on the job. Without these programs, many fire departments would simply not have the resources to afford the equipment and tools they need to protect their communities.

Now the Senate will be able to show these heroes that we have their backs by voting to pass this commonsense, bipartisan legislation.

I want to thank my cosponsors and colleagues for their support, including Senators COLLINS, CARPER, MURKOWSKI, COONS, MORAN, BOOZMAN, HEINRICH, ROUNDS, KING, SULLIVAN, TESTER, SINEMA, and KENNEDY.

By passing this critical bill, we can ensure our firefighters and first responders have what they need to continue safeguarding our communities from emergencies.

The PRESIDENT pro tempore. The majority leader.

Mr. SCHUMER. Madam President, I would like to make two points. The first is on this great legislation. I thank Senator PETERS and the entire HSGAC Committee—Democrats and Republicans—for moving forward.

Our firefighters are the people who protect us. We need to protect them. Equipment has gotten more and more expensive to save their lives and save the lives of the people they are protecting. Yet for many smaller communities—rural, smalltown, even suburban—there is not the money to afford



this equipment. So we have stepped up to the plate.

I helped author this legislation with Senator Dodd back in 2002 to help them. We desperately need this legislation. We need it for firefighters—both paid and volunteer—around the country. But, particularly, as I said, in the smaller areas and the smaller communities where they desperately need the equipment, we have to get it done.

The second point is this: This is the second bill we have done in a very strong bipartisan way. Our colleagues came to us with a list of amendments. It wasn't dilatory. Some of them were difficult for us, but we agreed to the amendments, and in turn, our colleagues voted to move forward. This, again, is how we can run the Senate in a very good and productive way. I hope to do that in every opportunity, where we can come to agreement on amendments, move forward, and pass good legislation.

This is good and needed legislation. I hope we get an overwhelming vote for it.

#### VOTE ON S. 870

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

The PRESIDENT pro tempore. The bill having been read the third time, the question is, Shall the bill pass?

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

The PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) is necessarily absent.

Mr. MCCONNELL. The following Senators are necessarily absent: the Senator from Indiana (Mr. BRAUN) and the Senator from North Carolina (Mr. TILLIS).

Further, if present and voting, the Senator from North Carolina (Mr. TILLIS) would have voted "yea."

The result was announced—yeas 95, nays 2, as follows:

[Rollcall Vote No. 94 Leg.]

#### YEAS—95

|              |              |           |
|--------------|--------------|-----------|
| Baldwin      | Daines       | Lujan     |
| Barrasso     | Duckworth    | Lummis    |
| Bennet       | Durbin       | Manchin   |
| Blackburn    | Ernst        | Markey    |
| Blumenthal   | Fetterman    | Marshall  |
| Booker       | Fischer      | McConnell |
| Boozman      | Gillibrand   | Menendez  |
| Britt        | Graham       | Merkley   |
| Brown        | Grassley     | Moran     |
| Budd         | Hagerty      | Mullin    |
| Cantwell     | Hassan       | Murkowski |
| Capito       | Hawley       | Murphy    |
| Cardin       | Heinrich     | Murray    |
| Carper       | Hickenlooper | Ossoff    |
| Casey        | Hirono       | Padilla   |
| Cassidy      | Hoeben       | Peters    |
| Collins      | Hyde-Smith   | Reed      |
| Coons        | Johnson      | Ricketts  |
| Cornyn       | Kaine        | Risch     |
| Cortez Masto | Kelly        | Romney    |
| Cotton       | Kennedy      | Rosen     |
| Cramer       | King         | Rounds    |
| Crapo        | Klobuchar    | Rubio     |
| Cruz         | Lankford     | Sanders   |

|            |            |            |
|------------|------------|------------|
| Schatz     | Stabenow   | Warnock    |
| Schmitt    | Sullivan   | Warren     |
| Schumer    | Tester     | Welch      |
| Scott (FL) | Thune      | Whitehouse |
| Scott (SC) | Tuberville | Wicker     |
| Shaheen    | Van Hollen | Wyden      |
| Sinema     | Vance      | Young      |
| Smith      | Warner     |            |

#### NAYS—2

Lee

Paul

#### NOT VOTING—3

Braun

Feinstein

Tillis

(Mr. PETERS assumed the Chair.)  
The PRESIDING OFFICER (Mr. SCHATZ). On this vote, the yeas are 95, the nays are 2.

The 60-vote threshold having been achieved, the bill is passed.

The bill (S. 870) was passed, as follows:

#### S. 870

*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 "Fire Grants and Safety Act".

#### SEC. 2. REAUTHORIZATION OF THE UNITED STATES FIRE ADMINISTRATION.

Section 17(g)(1) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2216(g)(1)) is amended—

(1) in subparagraph (L), by striking "and";

(2) in subparagraph (M)—

(A) by striking "for for" and inserting

"for"; and

(B) by striking the period and inserting ";

and"; and

(3) by adding at the end the following:

"(N) \$95,000,000 for each of fiscal years 2024 through 2030, of which \$3,420,000 for each such fiscal year shall be used to carry out section 8(f)."

#### SEC. 3. REAUTHORIZATION OF ASSISTANCE TO FIREFIGHTERS GRANTS PROGRAM AND THE FIRE PREVENTION AND SAFETY GRANTS PROGRAM.

(a) SUNSET.—Section 33(r) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229(r)) is amended by striking "2024" and inserting "2032".

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 33(q)(1)(B) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229(q)(1)(B)) is amended, in the matter preceding clause (i), by striking "2023" and inserting "2030".

#### SEC. 4. REAUTHORIZATION OF STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE GRANT PROGRAM.

(a) SUNSET.—Section 34(k) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229a(k)) is amended by striking "2024" and inserting "2032".

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 34(j)(1)(I) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229a(j)(1)(I)) is amended, in the matter preceding clause (i), by striking "2023" and inserting "2030".

#### SEC. 5. GAO AUDIT AND REPORT.

Not later than 3 years after the date of enactment of this Act, the Comptroller General of the United States shall conduct an audit of and issue a publicly available report on barriers that prevent fire departments from accessing Federal funds.

#### SEC. 6. LIMITATION ON FIRE GRANT FUNDS.

Neither the Government of the People's Republic of China, nor any entity or organization operating or incorporated in the People's Republic of China, may be eligible to be a recipient or subrecipient of Federal assistance under any assistance program authorized under subsection (c) or (d) of section 33

or section 34(a) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229, 2229a).

#### SEC. 7. GAO AUDIT.

Not later than 3 years after the date of enactment of this Act, the Comptroller General of the United States shall conduct an audit of and issue a publicly available report on the United States Fire Administration.

The PRESIDING OFFICER. The majority leader.

#### LEGISLATIVE SESSION

Mr. SCHUMER. Mr. President, I move to proceed to legislative session. The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I move to proceed to executive session to consider Calendar No. 64.

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

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Joshua David Jacobs, of Washington, to be Under Secretary for Benefits of the Department of Veterans Affairs.

#### CLOTURE MOTION

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

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

The senior assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 64, Joshua David Jacobs, of Washington, to be Under Secretary for Benefits of the Department of Veterans Affairs.

Charles E. Schumer, Raphael G. Warnock, Ben Ray Lujan, Tammy Duckworth, Jeff Merkley, Tim Kaine, Christopher A. Coons, Debbie Stabenow, Jon Tester, Sheldon Whitehouse, Tina Smith, Tammy Baldwin, Catherine Cortez Masto, Angus S. King, Jr., Mazie Hirono, John W. Hickenlooper, Margaret Wood Hassan.

#### LEGISLATIVE SESSION

Mr. SCHUMER. Mr. President, I move to proceed to legislative session. The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

#### VA MEDICINAL CANNABIS RESEARCH ACT OF 2023—Motion to Proceed

Mr. SCHUMER. Mr. President, I move to proceed to consider Calendar No. 32, S. 326.