



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 118<sup>th</sup> CONGRESS, FIRST SESSION

Vol. 169

WASHINGTON, WEDNESDAY, FEBRUARY 1, 2023

No. 21

## Senate

The Senate met at 10:01 a.m. and was called to order by the Honorable RAPHAEL G. WARNOCK, a Senator from the State of Georgia.

### PRAYER

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

Let us pray.

O God, who has guided our lives and is the author and finisher of our faith, teach us to live for Your glory. Keep us from becoming intoxicated by the desire for success and protect us from the fear of failure that paralyzes noble striving. Lord, lead us through the valley of pride and across the gorges of pretension to the richness of Your transforming spirit of love. Today, guide the Members of our Nation's legislative branch with Your wisdom. Show them solutions to the problems that beset our land and empower them with the compassion that seeks first to honor You. We pray in Your righteous Name. Amen.

### PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

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

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mrs. MURRAY).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, February 1, 2023.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable RAPHAEL G. WARNOCK, a Senator from the State of Georgia, to perform the duties of the Chair.

PATTY MURRAY,  
President pro tempore.

Mr. WARNOCK thereupon assumed the Chair as Acting President pro tempore.

### RESERVATION OF LEADER TIME

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

### MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business with Senators permitted to speak therein for up to 10 minutes each.

### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

Mr. SCHUMER. Mr. President, first, there is a little housekeeping, and then I will give my remarks.

### MEASURE PLACED ON THE CALENDAR—S. 184

Mr. SCHUMER. Mr. President, I understand that there is a bill at the desk that is due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the bill by title for a second time.

The senior assistant legislative clerk read as follows:

A bill (S. 184) to amend chapter 8 of title 5, United States Code, to provide that major rules of the executive branch shall have no force or effect unless a joint resolution of approval is enacted into law.

Mr. SCHUMER. In order to place the bill on the calendar, under the provi-

sions of rule XIV, I would object to further proceeding.

The ACTING PRESIDENT pro tempore. Objection having been heard, the bill will be placed on the calendar.

### DEBT CEILING

Mr. SCHUMER. Mr. President, House Republicans are struggling—struggling—to grasp a harsh reality about being in the majority. There is no good substitute for having a plan. You can't solve the Nation's biggest problems without a plan—a plan we can debate in Congress and which the American people can judge for themselves. This is especially true—especially true—when it comes to the debt ceiling.

Later this afternoon, President Biden will meet with Speaker MCCARTHY for their first one-on-one meeting of the year, and everyone is asking the same question of Speaker MCCARTHY: What is your plan? Where is your plan, Republicans? Where is your plan, Speaker MCCARTHY?

For days, Speaker MCCARTHY has heralded this sit-down as some kind of major win in his debt ceiling talks, but Speaker MCCARTHY is forgetting something obvious to everyone else: If you don't have a plan, you can't seriously pretend you are having any real negotiation.

Let me say that again because it is so crystal clear.

Speaker MCCARTHY, if you don't have a plan, you can't seriously pretend you are having any real negotiation.

Speaker MCCARTHY showing up at the White House without a plan is like sitting down at the table without cards in your hand.

And look, we know why the Speaker has struggled and is unable to produce a plan or why he is delaying it or avoiding it. He doesn't have the votes for one, in all likelihood. Some Senate Republicans want Social Security and Medicare cuts. Others want to cut the healthcare that Americans depend on

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



Printed on recycled paper.

S179

through Medicaid. And at least one Republican said on raising the debt ceiling: I am a “no” no matter what.

Speaker MCCARTHY knows that it is next to impossible to pass a plan through his own House—that he can’t do that. So Speaker MCCARTHY may claim he wants to negotiate, but that is, ultimately, empty talk if the hard right has the power to reject whatever the Speaker proposes. It is a toxic dynamic that, sadly, isn’t going away any time soon.

When President Trump was in office, I sat down with him to talk about the importance of raising the debt ceiling, and we didn’t engage in threats or brinksmanship or hostage-taking. Instead, we Democrats presented a plan and moved forward from there. It was not easy. It took a lot of preparation and tough decision making, but, each time, we got the job done.

So one more time, House Republicans, show us your plan. You have an obligation to be transparent with the American people. If you don’t have the votes to pass a plan, let’s just get the debt ceiling done. If the plan involves drastic cuts to millions of Americans, then Republicans have an obligation to show the American people what those cuts are because Americans could be faced with the very painful, painful results of those proposed cuts.

Republicans owe it—owe it—to the American people. Speaker MCCARTHY owes it to the American people to stop dodging, to put pen to paper, and to explain clearly how Congress is going to ensure the United States does not default for the first time in history. We Democrats have a plan: Raise the debt ceiling without brinksmanship or hostage-taking, as it has been done before. Speaker MCCARTHY doesn’t have a plan, so he is not really negotiating, and the clock is ticking.

#### EQUAL RIGHTS AMENDMENT

Mr. SCHUMER. Mr. President, on the ERA, which is a different and extremely important matter, I want to praise and echo the words of my colleagues yesterday who reintroduced a resolution to affirm the ratification of the Equal Rights Amendment.

The resolution is simple. It removes the arbitrary deadline for ERA ratification that was placed by Congress in the 1970s and recognizes the amendment as a valid part of the Constitution. There is no good reason why a constitutional amendment needs a deadline, especially not an amendment that affirms gender equality.

The Equal Rights Amendment has never been as necessary and urgent as it is today. The Supreme Court’s repeal of *Roe v. Wade* reminded all of us that, even today—in 2023, the 21st century—women don’t have the same fundamental rights as men. So this resolution is a terrific and necessary idea.

The ERA has been ratified by three-quarters of the States but not in the requisite time, and that is what this

proposal would fix. It is very popular in the minds of the American people, and I strongly support the resolution. I want my daughters and granddaughter to live in a country where they never have to worry about being discriminated against simply because of their gender. Sadly, today, that is not the case. The ERA would fix that.

So I want to thank Senators CARDIN and DURBIN, Representatives PRESSLEY, DEAN, and BUSH, and everyone who is championing this important resolution.

#### ELECTIONS

Mr. SCHUMER. Mr. President, finally, on election undermining by the Republican National Committee, one of the biggest lessons of last November was that, for all of the attempts by MAGA Republicans to undermine our elections, the roots of our democracy remain strong and run deep.

For 2 years, we heard the same thing over and over again from the MAGA brigade: that the 2020 elections were stolen, that President Biden was illegitimate, and that we couldn’t trust that our votes were properly counted.

Well, Americans simply didn’t buy it. They saw that the elections were fair. Some have said these were the fairest elections we have ever had. Yet, in every virtual race last fall, MAGA candidates who campaigned explicitly on denying the results of the 2020 election and overturning it were rejected by the voters. It was a good result for the country, for our democracy. Frankly, it was a necessary wake-up call for the GOP, telling them: Get rid of the Big Lie once and for all. The American people aren’t buying it. Maybe a small band of extreme rightwingers is—MAGA people—but not everybody else.

It was so disturbing to read in the *Washington Post* that the RNC is not abandoning the conspiracy of the Big Lie so much as it is doubling down. According to reports, they are working on creating a “permanent infrastructure in every state to ramp up ‘election integrity’ activities” as a way to cater to that portion of their base that still believes in wacky election fraud conspiracies.

As a sign of how unserious this report is, the RNC also makes unfounded claims of a “continuing onslaught of Democrat election manipulation.” I would call it ridiculous—it is ridiculous—but it is a troubling attempt to undermine our democracy. When people don’t believe the elections are on the level, that is the beginning of the end of this grand experiment in democracy that has lasted for centuries. Fortunately, the American people are rejecting it, but the Republicans that lead the MAGA wing are keeping at it.

I will make this easy for the folks over at the RNC: Undermining our elections is a losing strategy. It is a loser politically. It didn’t work last year, and it is not going to work next year. For the sake of our country and

the sake of the GOP, the RNC and the MAGA wing of the Republican Party need to break the election fraud echo chamber that has paralyzed their party and has, frankly, caused them to lose election after election.

#### GATEWAY PROJECT

Mr. SCHUMER. Finally, yesterday, Mr. President, was a very special day for the people of New York. After a lot of hard work, we finally welcomed President Biden to celebrate progress on Gateway, the most important infrastructure project in America.

Anyone who knows me knows Gateway has been one of my greatest passions for more than a decade. Call it a labor of love—and it is—because I love New York. Without our tunnels, the region’s economy would come to a screeching halt, and not just New York’s, not just New Jersey’s but the whole Northeast and eventually the whole country’s.

So after many false starts and a lot of opposition, Gateway is finally full speed ahead, thanks to both the bipartisan infrastructure law and the great help and enthusiasm from President Biden.

We had a good time yesterday—the President, I, and the other Senators—because we knew we were getting something so important done. And that is why we are here. The implementation of the bills we passed last year is really vital to this country and to keeping our prosperity going and increasing.

There were a lot of smiles at yesterday’s celebration. Many of us waited for years for this moment, and after a lot of persistence, we can finally say Gateway is going to be built.

Gateway is just one of the major infrastructure initiatives supported by the bipartisan infrastructure law. Just like the CHIPS and Science Act and the Inflation Reduction Act, it is beginning to pay real dividends in the form of new jobs, new investments, and prosperity. We are going to see much more of it this year and the years to come.

That is precisely what Democrats promised to do, and that is what we are delivering on.

I thank the President for helping us and celebrating with us yesterday in New York.

I yield the floor.

#### RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

#### DEBT LIMIT

Mr. MCCONNELL. Mr. President, later today, the Speaker of the House and the President will begin bipartisan discussions about the future and trajectory of our government’s borrowing and spending.