



United States  
of America

# Congressional Record

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

Vol. 169

WASHINGTON, THURSDAY, DECEMBER 14, 2023

No. 206

## Senate

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

### PRAYER

The PRESIDING OFFICER. Our guest Chaplain, the Reverend RADM Gregory Todd, Chief of Chaplains for the U.S. Navy, will offer the opening prayer.

The guest Chaplain offered the following prayer.

The Lord be with you.

Let us pray.

Eternal Father, ruler of wind and wave, You establish the heavens and order all of creation. Behold Your humble people, seeking only to serve and not to be served. Grant all who labor on behalf of the United States a heart of humble service.

Lord, in Your wisdom, You led the predecessor of this Congress, the Continental Congress of 1775, out of concern for the souls of sailors, to mandate that divine services be held on all Navy ships, thus giving rise 248 years ago to the Navy Chaplain Corps.

Inspired by the insight of our forebears, we seek Your divine hand to raise up more religious ministry professionals to serve as U.S. Navy chaplains. In our day, Lord, grant us an increase of Navy chaplains to care for the souls of sailors, marines, coastguardsmen, and their families as they navigate the daily challenges of military service.

We give You thanks for raising up righteous leaders who foster justice and promote the good. Grant Your wisdom to the newly confirmed and soon-to-be-confirmed flag and general officers, that they may bless Your people.

Grant Your favor to our Nation this holiday season; that though we are a people of many faiths or even no faith, we live united as a nation without hate or rancor. It is into Your divine hands we commit our prayer, trusting in Your divine mercy. 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, December 14, 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.

The ACTING PRESIDENT pro tempore. The Senator from Virginia.

### WELCOMING THE GUEST CHAPLAIN

Mr. KAINE. Mr. President, I rise to commemorate the special occasion of having our Navy chaplain, Rear Admiral Todd, appear to give the invocation, and I do so noticing a ministerial hat trick in our Presider and our Senate Chaplain and our Navy chaplain all being on the floor as we open the session on this wonderful Thursday.

The Navy Chaplain Corps was created on November 29, 1775, with an order by the Continental Congress that there would be divine services on the ships of the U.S. Navy, and that was 248 years ago.

And often in the Senate, around the anniversary of the establishment of the

Navy chaplaincy, the Navy chaplain is invited to come and open a Senate session. We are a little bit after November 29, but it is a very nice occasion to welcome Admiral Todd here.

Admiral Todd is a special individual. All chiefs of Navy chaplains are special, as we know from our own Senate Chaplain Reverend Black, but—get this—here is a little bit about Admiral Todd's career: He is a native of Seattle. He joined the Navy Reserves in 1986 and then was a reservist at the same time as he was pastoring churches. He superseded to Active Duty in 1994 and has been in the Navy chaplaincy business since then—a distinguished career.

But here is a mark that he holds that I am not sure anyone has or ever will hold. He has been the chief chaplain not only of the Navy but the 10th chaplain of the U.S. Coast Guard and the 20th chaplain of the U.S. Marine Corps before becoming the 28th chaplain of the U.S. Navy—truly a servant whose service has spread far and wide to incorporate not only those who are in our military but also our civilians—and especially their families.

So this is a special occasion and a good one that we should do annually to allow the Navy chaplain to open the Senate session in memory of this 248-year tradition. But in particular, I want to express my gratitude to Admiral Todd for the great service that he has provided to thousands and thousands of our sailors, of our marines, of our coasties, and their families.

I yield the floor.

### RESERVATION OF LEADER TIME

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

### CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

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



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## EXECUTIVE SESSION

## EXECUTIVE CALENDAR

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session to resume consideration of the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Jerry Edwards, Jr., of Louisiana, to be United States District Judge for the Western District of Louisiana.

## RECOGNITION OF THE MAJORITY LEADER

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

## BUSINESS BEFORE THE SENATE

Mr. SCHUMER. Mr. President, today, negotiators from the White House, Senate Democrats, and Senate Republicans will continue negotiations on a national security supplemental package. Yesterday, we had another round of productive conversations, and there was more progress. But of course, there is more work to do, and we are going to keep at it and keep at it.

Last night, I filed cloture on a couple of nominations to the Federal bench and the Department of Justice, with possible votes on these nominees as soon as tomorrow.

To my Republican colleagues who have said action on the border is urgent: Let's keep working to find a solution instead of rushing for the exits. If Republicans are serious about getting something done, they should not be so eager to go home. This may be our last best chance to get this legislation done.

After weeks of deadlock, we have seen significant progress over the past few days, and we should take advantage of the opportunity because we may not get one for quite a while. It is not easy to reach an agreement on something this complicated. But so much hangs on our success, so we need to try with everything we have.

The world is watching what Congress does right now. Our friends are watching. Our adversaries are watching even more closely. And most of all, Vladimir Putin is watching closely. He is eager to see us abandon Ukraine and thinks he is getting that done, working, in part, through Donald Trump.

Here is what Putin said a few hours ago about American aid to the Ukraine:

[T]he free stuff is going to run out someday, and it seems it already is.

That, Mr. President, is Vladimir Putin taunting the Senate, taunting America. While Congress is mired in gridlock, Putin is on the other side of the world mocking our resolve.

In generations past, this would have been a no-brainer. Democrats and Republicans would have bent Heaven and Earth to stand up to Russian dictators. We spent half a century, spent billions and billions and billions of dollars, lost

lives to safeguard the free world against the malicious spread of communism, against tyranny, and against those who undermine our values. Now we find ourselves at another moment in history when democracy is under siege.

We heard directly from President Zelenskyy 2 days ago about what is at stake if we fail. So fail we must not. There is too much on the line for Ukraine, for America, for Western democracy to throw in the towel right now. We must keep talking. We must keep working.

Our Republican friends must be reasonable. They must show they are serious about getting something done, and we have had serious discussions in the last few days. Democrats are willing to keep trying. I urge my Republican colleagues to do just the same.

## SENATE ACCOMPLISHMENTS

Mr. President, now, on NDAA, last night, for the 62nd year running, the Senate passed our annual Defense Authorization Act with a strong bipartisan vote, 87 to 13. The Senate's bipartisan package of the Defense bill stands in glaring contrast with the partisan race to the bottom we are seeing in the House.

Just look at the difference between these two bodies. While the Senate is strengthening America's national security, House Republicans are wasting time on a clown-car impeachment inquiry that will get nowhere. The House Republican impeachment inquiry is the definition of "unserious."

The House should be looking at the Senate right now for an example of how both sides can work together in a meaningful way to pass serious legislation to improve the lives of the American people.

Now, as I have said repeatedly, we began the month of December with three major goals here in the Senate before the end of the year. First, we had to end the blockade of hundreds of military nominees. We have done that. Second, we needed to pass the NDAA. We did that last night. And finally and, of course, hardest of all, we must reach an agreement on a national security supplemental.

Democrats are still trying to reach an agreement. We have had productive talks with Republicans today, but of course we have a lot of work left to do. We are going to keep working. This is too important not to.

I yield the floor.

## RECOGNITION OF THE MINORITY LEADER

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

## NATIONAL SECURITY

Mr. MCCONNELL. Mr. President, it has been nearly 8 weeks since President Biden submitted his supplemental funding request and identified four key national security priorities. For 8 weeks, Senate Republicans have been working hard to produce legislation that takes appropriate action on all

four fronts: helping Ukraine defeat Putin in Europe, helping Israel fight Iranian terror in the Middle East, helping Asian partners deter Chinese aggression, and helping the men and women of Border Patrol get the crisis at our southern border under control.

At the same time, we have had to spend several weeks now trying to convince some of our Democratic colleagues not to tank the entire effort just because they wish a Democratic President had not put border security in his request.

A number of Senate Republicans have been working in good faith to make sure that supplemental legislation makes substantive policy changes at the border, instead of just throwing money at the problem.

Meanwhile, we have had to explain to Members of President Biden's own party why the border security issue he included in his proposal was not extraneous to America's national security.

So here we are. Some very important conversations are ongoing. And here is the bottom line: The Senate cannot claim to address major national security challenges without a solution to the one we are facing on the southern border. We can't pretend to be serious about threats facing America and our allies without fixing the broken system that lets 10,000 illegal aliens cross our border in a single day.

I am serious. Senate Republicans are serious, and I hope our colleagues are as well.

## ANTI-SEMITISM

Mr. President, on another matter, the events of the past 2 months have underscored that something is rotten in the state of America's most elite universities, and there aren't many more glaring examples than Harvard.

Last week, of course, Harvard's president refused to say whether calls for Jewish genocide would constitute harassment on her campus. Two months ago, in the immediate aftermath of the October 7 terrorist attack, she declined to condemn the Harvard student groups who openly declared that the murder of innocent Jews that day was Israel's own fault.

Under her leadership, radical "Students for Justice in Palestine" have organized to spin terrorist propaganda and mostly succeeded in getting Harvard graduates blackballed by major corporations and Federal judges.

One Jewish student at Harvard Business School was even assaulted on his way to study.

And yet despite her abysmal record on combating anti-Semitism and mounting allegations of plagiarism in her own scholarship, the cadre of left-wing financiers and university administrators who make up the governing Harvard Corporation has affirmed their "confidence that President Gay is the right leader to help our community heal."

Well, when you look at Harvard's history, this embarrassing lack of moral clarity is hardly a surprise. A century

ago, Harvard President Abbott Lowell proposed a numerical quota on Jewish students. His reasoning?

The anti-Semitic feeling among the students is increasing, and it grows in proportion to the increase in the number of Jews.

So one Harvard president says that the presence of Jews causes anti-Semitism. A hundred years later, another says that calls for Jewish genocide really depend on the context in which they are made. Frankly, you would be forgiven for wondering whether anti-Semitism isn't just business as usual at Harvard.

#### CLIMATE CHANGE

Mr. President, now on one final matter, this week, the United Nations wrapped up its latest conference on climate change. World leaders took private jets to Dubai, and the Biden administration's Special Climate Envoy, John Kerry, returned triumphant with a joint statement condemning the evils of coal power.

Elite liberals sure are obsessed with killing jobs in places like Kentucky. But that is only the half of it.

Yet again, the maximum hardships the Biden administration is happy to heap on American workers and consumers are producing no meaningful benefits on the world stage. The past 3 years have been an endless parade of canceled permits and new regulations that make it harder than ever to produce affordable and reliable American energy.

By canceling the Keystone XL Pipeline on day one, President Biden also canceled as many as 59,000 jobs that were needed to build it. And, now, the President's envoy has returned with another meaningless pledge that doesn't even compel the world's biggest emitters of carbon.

Just look at the numbers. U.S. emissions are projected to fall by 4 percent this year. Meanwhile, China's are projected to increase by twice as much. Last year, Beijing green-lit four times as much new coal power as they did the year before, but the Biden administration apparently wants us to believe it is American producers and job creators and workers who aren't pulling their weight.

So the U.N. climate conference is a good reminder that the elite leftwing obsession with self-inflicted climate penance is not just an American problem.

Canada's Liberal government, for its part, has a bold new plan: paying farmers to make sure their cattle don't burp so much. Apparently, Canada's plan is to build around a carbon credit—the nebulous commodity that supposedly negates carbon emissions from activities like flying private jets, except, in this case, the subjects aren't elites looking to ease their conscience on the way to a conference in Dubai. They are the workers who put food on the table.

Canada's so-called "Reducing Enteric Emissions from Beef Cattle" proposal would grant carbon credits to farmers

who feed their cows special diets to reduce burping.

Well, it sounds an awful lot like the way Washington bureaucrats like to tell middle-class Americans what kind of car to drive and what kind of stove to use. It also sounds entirely ridiculous.

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. MORAN. 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.

The Senator from Kansas.

#### FEDERAL AVIATION ADMINISTRATION

Mr. MORAN. Mr. President, the list of things that we can do but haven't done is extensive. It is long.

We need to chip away at that list and get our work done as 2023 comes to a close. Today, I want to highlight the urgent need to pass a long-term—a long-term—not a continuation of little, short extensions but a long-term FAA reauthorization legislation.

The current FAA reauthorization expired on September 30, in which a subsequent extension was passed until the end of this year—that is not many days away.

Congress is now progressing toward another short-term extension until mid-March 2024.

I serve as the lead Republican and ranking member of the Aviation Subcommittee on the Commerce, Science, and Transportation Committee, and I stated at the very beginning of my tenure in that position the importance of passing a long-term reauthorization. And I am here today to continue to beat that drum.

Continuous short-term extensions are detrimental to the Agency, the industry, and the flying public. This is about public safety. We have been genuinely and rightfully concerned about the flying public, and reauthorization of the FAA bill, as we have developed it, is an important component of making people safer as they fly.

Multiple-year reauthorization is necessary for long-term planning and growth of the civil aviation industry.

I come from the air capital of the world, Kansas, and we know the importance of this piece of legislation in our ability to compete globally and to defend our Nation in this time of national security needs.

Multiple-year reauthorization allows for planning and growth, including the maintenance and modernization of aviation infrastructure and technologies. If the United States is to remain a leader in the aerospace domain, it is critical that we provide the FAA the resources and the tools they require.

We spent months working on the legislation. It is designed to and will improve the capabilities of the Federal

Aviation Administration. The U.S. House of Representatives has passed an FAA reauthorization, and they did so last July. Unfortunately, the Senate has yet to move a bill out of the committee.

In November, the Aviation Subcommittee convened once again to address the close calls and near misses that have recently plagued our Nation's air space—incidents that indicate, now more than ever, that our aviation system needs certainty and stability provided, in part, by long-term authorization by Congress.

While I was pleased to see my colleagues come together this past October in a vote of 98 to 0—98 to nothing—in the Senate to confirm Mr. Mike Whitaker as the FAA Administrator, I implore—I request—my colleagues to once again find that collaborative spirit, that way forward, to address FAA reauthorization.

Our colleague in the House, the House Transportation chairman, SAM GRAVES, recently held a hearing on the consequences of a failure to pass a long-term FAA reauthorization bill. While the hearing touched on a myriad of issues that continued FAA extensions would present, the witnesses particularly highlighted these items: airport programs and project delivery impacts due to uncertainty in planning; the inability of the FAA to adjust to emerging technologies; and workforce issues for the entire aviation system, particularly air traffic control staffing, which has led to continued delays and cancellations for the flying public.

Mr. Rich Santa, president of the National Air Traffic Controllers Association, summarized it this way—and I am quoting him:

The single most important action Congress can take for the safety of the national airspace system would be to pass a long-term, comprehensive FAA Reauthorization bill [and put it] into law before the end of the year.

Our aviation system cannot make needed advancements and improvements if we continue to allow the status quo, which has near-term and long-term implications.

So, once again, I stand ready to work with my colleagues, the chairman and the ranking Member of the full committee; my colleague Senator DUCKWORTH from Illinois, my chairman of the subcommittee that I am the ranking member of. I stand here ready to not only encourage my colleagues but to put my work where my mouth is and make sure that we take every step possible to find that sweet spot, that needle—which I don't think is that small of a needle hole—to get us FAA reauthorized long term. Our aviation system depends upon it and, most importantly, my Kansas constituents and all Americans depend upon, for their safety, this piece of legislation.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Illinois.

ISRAEL

Mr. DURBIN. Mr. President, I rise to speak on two issues, but, first, I would

like to ask unanimous consent that the New York Times article entitled “We Are No Strangers to Human Suffering, but We’ve Seen Nothing Like the Siege of Gaza” be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times, Dec. 11, 2023]

WE ARE NO STRANGERS TO HUMAN SUFFERING,  
BUT WE’VE SEEN NOTHING LIKE THE SIEGE  
OF GAZA

(By Michelle Nunn, Tjada D’Oyen McKenna,  
Jan Egeland, Abby Maxman, Jeremy  
Konyndyk and Janti Soeripto)

We are no strangers to human suffering—to conflict, to natural disasters, to some of the world’s largest and gravest catastrophes. We were there when fighting erupted in Khartoum, Sudan. As bombs rained down on Ukraine. When earthquakes leveled southern Turkey and northern Syria. As the Horn of Africa faced its worst drought in years. The list goes on.

But as the leaders of some of the world’s largest global humanitarian organizations, we have seen nothing like the siege of Gaza. In the more than two months since the horrifying attack on Israel that killed more than 1,200 people and resulted in some 240 abductions, about 18,000 Gazans—including more than 7,500 children—have been killed, according to the Gazan health ministry. More children have been reported killed in this conflict than in all major global conflicts combined last year.

The atrocities committed by Hamas on Oct. 7 were unconscionable and depraved, and the taking and holding of hostages is abhorrent. The calls for their release are urgent and justified. But the right to self-defense does not and cannot require unleashing this humanitarian nightmare on millions of civilians. It is not a path to accountability, healing or peace. In no other war we can think of in this century have civilians been so trapped, without any avenue or option to escape to save themselves and their children.

Most of our organizations have been operating in Gaza for decades. But we can do nothing remotely adequate to address the level of suffering there without an immediate and complete cease-fire and an end to the siege. The aerial bombardments have rendered our jobs impossible. The withholding of water, fuel, food and other basic goods has created an enormous scale of need that aid alone cannot offset.

Global leaders—and especially the United States government—must understand that we cannot save lives under these conditions. A significant change in approach from the U.S. government is needed today to pull Gaza back from this abyss.

For a start, the Biden administration must stop its diplomatic interference at the United Nations, blocking calls for a cease-fire.

Since the pause in fighting ended, we are again witnessing an exceptionally high level of bombardment, and at increasing ferocity. The few areas left in Gaza that are untouched by bombardment are shrinking by the hour, forcing more and more civilians to seek safety that does not exist. Over 80 percent of 2.3 million Gazans are now displaced. The newest Israeli offensive is now forcing them to cluster on a tiny sliver of land.

The bombardment is not the only thing brutally cutting lives short. The siege of—and blockades surrounding—Gaza have led to a critical food scarcity, cutoffs of medical supplies and electricity, and a lack of clean water. There is barely any medical care to be found in the enclave and few medications. Surgeons are working by the light of their

mobile phones, without anesthetics. They are using dishcloths as bandages. The risk of waves of waterborne and infectious disease will only grow in the increasingly overcrowded living conditions of the displaced.

One of our colleagues in Gaza recently described their struggle to feed an orphaned infant who had been rescued from the rubble of an airstrike. The baby had not eaten for days after her mother’s death. Colleagues could only scrounge up powdered milk—not formula, not breast milk, and not a nutritionally suitable infant food—to help stave off her starvation.

Before the war, hundreds of truckloads of aid were needed each day to support Gazans’ daily existence. Only a trickle of that required aid has made it into Gaza in the two months since the war began. But even if more were allowed in, our work in Gaza is dependent on ensuring our teams can move safely to set up warehouses, shelters, health clinics, schools, and water, sanitation and hygiene infrastructure.

Today our staff members are not safe. They tell us they’re making the daily choice of staying with their families in one place so that they can die together or go out to seek water and food.

Among leaders in Washington, there is constant talk about preparing for the “day after.” But if this relentless bombardment and siege continue, there will be no “day after” for Gaza. It will be too late. Hundreds of thousands of lives hang in the balance today.

So far, American diplomacy in this war has not delivered on the goals President Biden has conveyed: protection of innocent civilians, adherence to humanitarian law, more aid delivery. To stop Gaza’s apocalyptic free fall, the Biden administration must take tangible measures, as it does in other conflicts, to up the ante with all parties to the conflict and bordering countries.

Secretary of State Antony Blinken once said of the war in Ukraine that the targeting of heat, water and electricity was a “brutalization of Ukraine’s people” and “barbaric.” The Biden administration should acknowledge that the same holds true in Gaza. While it has announced measures to deter violence against Palestinian civilians in the West Bank, Mr. Blinken and his colleagues should apply similar pressure to stop violence against civilians in Gaza, too.

The harrowing events unfolding before us are shaping a global narrative that, if unchanged, will reveal a legacy of indifference in the face of unspeakable suffering, bias in the application of the laws of conflict and impunity for actors that violate international humanitarian law.

The U.S. government must act now—and do so for humanity.

Mr. DURBIN. Mr. President, this article is authored by some remarkable people: Michelle Nunn, president and chief executive of CARE; Tjada McKenna, chief executive of Mercy Corps; Jan Egeland, secretary general of the Norwegian Refugee Council; Abby Maxman, president and chief executive of Oxfam; Jeremy Konyndyk, president of Refugees International; and Janti Soeripto, president and chief executive of Save the Children U.S.

I would like to take a minute to read two paragraphs from this essay, which I have just entered into the CONGRESSIONAL RECORD.

It reads as follows:

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more than two months since the horrifying attack on Israel that killed more than 1,200 people and resulted in 240 abductions, about 18,000 Gazans—including more than 7,500 children—have been killed, according to the Gazan health ministry. More children have been reported killed in this conflict than in all major global conflicts combined last year.

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I think this essay is worthy of all my colleagues and for the public to read it. I hope they saw it initially in the New York Times and will read it now.

Now I ask consent to go to a separate, unrelated topic.

The PRESIDING OFFICER (Mr. LUJAN). Without objection.

FIRST STEP ACT

Mr. DURBIN. Mr. President, 5 years ago, Congress came together to pass the First Step Act, the most important criminal justice reform legislation in a generation. I am happy to come to the floor today with my colleague and friend Senator BOOKER of New Jersey and celebrate this momentous anniversary.

The First Step Act passed the House and Senate by overwhelming bipartisan majorities and was supported by a broad coalition from across the political spectrum, including former President Donald Trump, who signed it into law. I was proud to champion this landmark legislation with the help of Senators BOOKER, GRASSLEY, and LEE. It took months of bipartisan negotiation and painful compromise, but the net result was a historic victory that significantly improved our system of justice.

I am thankful for the tireless efforts of many dedicated advocates who never gave up hope that this law could be passed. It was a dramatic change to finally acknowledge that just being tough on the so-called war on drugs was not enough.

I often think back to my early days in the House of Representatives, during the 1980s, when the crack epidemic was devastating America. I vividly remember, in 1986, when the Nation reeled from the news that a Maryland basketball player named Len Bias had died from a heart attack induced by cocaine. All of the evidence points to it having been powder cocaine. Somehow, his death, nevertheless, became a public symbol of the crack epidemic.

Members of Congress were desperate to do something to stop the despair caused by drugs in our communities and to punish the dealers who were trafficking this new, highly addictive product. So we passed legislation, the Anti-Drug Abuse Act, that established mandatory minimum sentences for distribution of specific quantities of

drugs. We thought we would clearly deter people from selling drugs by imposing tougher—tougher—sentences for larger quantities.

The law imposed much tougher sentences for crack cocaine offenses than for powder cocaine offenses. An individual would receive a minimum—minimum—5-year Federal prison sentence for selling just 5 grams of crack, the same sentence provided for selling 500 grams of powder cocaine. At the time, we believed this 100-to-1 hit between sentences for crack and powder cocaine was the right thing to do. We were so frightened by the impact that crack was having in America.

But it became clear over the next 30 years that we were terribly, terribly wrong. Instead of the price of crack going up, after the law was passed because of reduced supply, the opposite occurred. The price went down. Even though we were locking up more people than ever for drug offenses, primarily African Americans, the amount of drugs on our streets and the number of addicts was increasing.

Years after the law passed, I met a young African American from Alton, IL, who told me the story of his sister Eugenia Jennings, also from Alton. As a child, she was abandoned and seriously abused. At the age of 15, she started using crack to dull the pain of her life. At the age of 23, Eugenia was convicted for trading a small amount of crack cocaine for clothing for her small children. She was sentenced to 22 years in a Federal prison—22 years.

She was a model prisoner while serving her sentence. While in prison, she developed leukemia. I went to visit her in Greenville, IL, at the Federal correctional center. I will never forget the moment when I walked into the room and she was seated at the table. Then, she had been in prison for over 10 years.

She talked about how nice it was that she was in Greenville, close enough to Alton, IL, and that her children could visit. But she was afraid because her cancer was taking her to a prison hospital in Texas, and she wouldn't be able to see her children.

She said to me something I will never forget. She said:

"I don't know how much longer I am going to live, Senator. But I promise you this: If you can find some way to get me out of prison to be with my girls, I'll never do anything wrong again in my life."

So I wrote a personal note, handwritten, to President Barack Obama, asking him to commute Eugenia's sentence. He did, just in time for her to see her eldest daughter graduate from high school. It was the thrill of her life.

Sadly, Eugenia died less than 2 years later.

Her story was tragic in so many ways, but it inspired me to keep working to pass legislation to help other individuals who had been unjustly sentenced by our overly punitive laws. It became my personal mission to correct these errors and fix a policy that was doing far more harm than good.

We took a big step in that direction in 2010, when President Obama signed into law a bill I authored, the Fair Sentencing Act. We reduced the 100-to-1 crack-to-powder-cocaine disparity to 18 to 1, but the Fair Sentencing Act was not retroactive, meaning that people were still serving long, disparate sentences on crack cases after the law was passed.

The First Step Act finally brought them relief, allowing them to be resentenced under the 18-to-1 ratio. The First Step Act also created an entirely new system programming in Federal prisons, designed to prevent incarcerated people from reoffending, with a chance for them to earn extra time in community confinement or supervised release at the end of their sentence, a strong incentive for them to do the right thing while in prison.

Last week, Senator BOOKER and I had the pleasure of meeting with a group of individuals from an organization called Families Against Mandatory Minimums. It was a great meeting. Many of the folks we met had been incarcerated under the harsh 1980s drug law. I spoke with them, including some from my own home State of Illinois.

One lady looked me in the eye, and she said: I was sentenced to life without parole, and without your bill, I would still be there.

Several of them noted they would still be in prison today, and now they were back with their families. They are back in their communities. They are spending time and contributing to our society.

The reforms in the First Step Act have been tremendously successful. I want to put these numbers on the record because they are so important. Of the 29,944 incarcerated people released under the First Step Act reforms through January 2023, only 12.4 percent have been arrested for new crimes. By comparison, the overall recidivism rate in the Bureau of Prisons currently stands at nearly 43 percent—12 percent versus 43 percent. The success of the overwhelming majority of individuals released under the First Step Act demonstrates that reducing the population in our overcrowded prisons can be done safely and effectively, and it is the right thing to do.

It is however, as its name, just the first step. To keep making our justice system fairer and our communities safer, we must continue reforming our outdated sentencing laws and provide opportunities for those incarcerated to successfully return. I hope Congress will take many more steps in this direction toward more just criminal sentences.

There is a natural impulse—Mr. President, you know it; you have heard it; you have seen it—when we talk about narcotics and drug crime, to say: If we can just get tough, if we get the message out there that we are going to impose tough sentences, then they will stop using.

We tried it. It was a disastrous failure when it came to crack cocaine.

Let's not just get tough. Let's get smart when it comes to sentencing people. Let's realize an addiction is more than just a curse in the person's life. It is a medical situation that can be resolved many times, and we can do it if we work conscientiously to make America safer.

I hope that Congress takes steps in that direction for more just criminal sentences and wiser responses to the crisis of substance abuse in America.

And now I am going to turn the floor over to a man who has become a close friend and an ally in this effort.

When he first came to Congress, CORY BOOKER may have been new to the Federal level of this issue, but he certainly had ample experience when it came to State and local enforcement of drug laws because of the fact that he was the mayor of the city of Newark, NJ, of which he reminds us frequently—as he should.

He has led on this issue personally in his home and in his community. He has seen the devastation it can cause. He has the same hope that I do—that rather than just say no, these individuals are given a chance to find a new way in life to overcome their addiction and become contributing members across America.

I yield the floor to Senator BOOKER.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. BOOKER. Mr. President, I am pretty excited. In fact, let's just say this is the season of joy, and I feel such joy today.

The gentleman who just spoke, the Senator from Illinois, the chairman of the Judiciary Committee, is a man of heroic action. What we are marking today, this anniversary, is so much due to his work and steadfast leadership on these issues years before I came here. We are celebrating this moment of joy and a moment of deep, profound gratitude, and I want to give Senator DURBIN my deep thanks.

I also want to thank my colleagues on the other side of the aisle. I want to thank CHUCK GRASSLEY. I want to thank MIKE LEE. I want to thank all of their staffs who worked so hard for this moment. This was truly a bipartisan effort and one of the best experiences I have had as a U.S. Senator.

In addition to that, we worked with the President's staff and his team to get to that bill and that moment. We had activists across the political spectrum, people like Mark Holden, who worked for Koch Industries, all the way to folks like Jessica Jackson and Dan Jones. We had not only activists but people who were directly impacted—advocating organizations, nonprofits—trying to bring justice to the justice system.

This bill was a product of compromise and shows what is possible in this institution when both sides come together on common ground. It was a recognition that had been growing that the criminal justice system needed reform and was devastating our Nation's

highest ideals and principles. We are a nation of liberty and justice for all.

Think about the backdrop to this. Think about all of the facts that were happening leading to this incredible accomplishment 5 years ago.

Our Federal prison system since 1980 had grown—exploded—by 800 percent. The United States of America, which professes freedom as its fundamental ideal, had more people incarcerated than any other nation on the planet Earth. One in four incarcerated people on our planet in the world was here in the United States of America. We had a system that was not based on justice or restorative justice but based on retribution and, in many ways, cruelty. We became captive of impulses of fear rather than the wisdom for healing and growth and security.

I was stunned when I first saw that data point that about a third of the adult Americans in our country—adults—had a criminal record. Think about the criminalization. Think about that. Over 5 million children in our country had a parent who was actually in jail or prison during their childhood.

This overreaction to the War on Drugs that did not—it was not a war on drugs but a war on people and disproportionately impacted certain people and not others. The African-American community is a great example. Because of this overincarceration, there were more Black folks in our country under criminal supervision—more Black men under criminal supervision than were enslaved in 1850. This is an affront to our ideals of liberty and justice.

We malign other countries for imprisoning journalists, for imprisoning politicians, imprisoning people who dare to protest the state, but in our country, whom do we imprison? The poor. The mentally ill. The addicted. Survivors of abuse and sexual assault. Black and Brown folks are way over-indexed in our prisons and jails. Any visit to an American jail will show in so many ways the failings of our system.

Instead of offering people help with substance abuse or mental illness, we were wasting billions of dollars, tearing families apart, destroying communities, and ultimately making communities less safe; investing billions of dollars in warehousing people—not in roads, not in bridges, but incarcerating human beings. In fact, between 1990 and 2005, a new prisoner jail opened in our country every 10 days. Think about that for a second. Our national treasure was being used not for education, not for research, not for roads, bridges, technology, but to warehouse human beings.

The perversity of the system was that it was making us less safe. People who were being released had recidivism rates that were so high because they weren't getting the help they needed. People incarcerated for nonviolent drug offenses were coming out and facing over 40,000 collateral consequences

that stopped them from getting a job, from buying a home, from providing for their family.

Our system is supposed to be about justice, and what was happening in the early 2000s is that red States and blue States were starting to make an effort to reform their criminal justice systems. We saw States, from Georgia to New Jersey, lower their prison populations and lower crime at the same time, understanding that if you affirm people's dignity and give them pathways to health and well-being, you not only lower your prison population but you make communities safer and you make families more intact.

After decades of these failed policies, a group of bipartisan Senators, working with a Republican White House and House Members, crafted this legislation that has affected thousands of people's lives.

Senator DURBIN said it: The population that was liberated from unjust incarceration as a result of this bill has a lower recidivism rate than people who have served out full terms and come home, because the fullness of this bill wasn't just about liberating people from unjust incarceration but creating programs that could empower people in prison to pathways to better lives when they are coming out. It was logical, it was common sense, and that is why the rightwing think tanks and the leftwing tanks and all in between were supporting and advocating and pushing for this commonsense bill.

Five years after the passage of the First Step Act, we now have evidence that not only demonstrates its success but shatters the myth that criminal justice reform and public safety don't go hand in hand. As the Senator said, almost 30,000 individuals were released, and almost 9 in 10 have avoided re-arrest or reincarceration, compared to the 45-percent recidivism rate Senator DURBIN talked about.

Oh, but God, these are data. This is just statistics. What is powerful for me is meeting the human beings and their families, meeting the children who had their parents come home. Do you want to talk about joy? When this passed 5 years ago, I will never forget, right out those doors, as soon as it passed, as an impulse, I hugged CHUCK GRASSLEY because it was what I knew was going to happen. The holidays were really going to be about the American values, that the most sacrosanct thing we can have is liberty. The most severe thing the government can do is to take someone's liberty. We literally have slogans in our country—"Give me liberty or give me death."

To see people come up to you and saying: All hope was gone. I was sitting in the depths of incarceration, like Joseph thrown into the well, thrown into prison—no hope—but yet I found deliverance because of Republicans and Democrats who worked together for common sense.

I visited with those families. I have seen the impact on children. I have

seen the stories of grades improving in school. I have seen the stories of people who have come out of prison as we met, Senator, who have gone to work making their communities safer, doing violence intervention, helping other people not go the same way.

This is what happens when we affirm human dignity. This is what happens when we understand how powerful and urgent families are in America. This is what happens when we live the values we swear an oath to with our hand over our heart—liberty and justice for all.

So yes, today, again, I wish Senator GRASSLEY were here. I might try to hug him one more time in honor of the anniversary. But this is a time when we should be celebrating this incredible step toward justice.

But I will tell Senator DURBIN, we called this the First Step Act. I remember the press conferences we had, Republicans and Democrats standing together and saying: This is the first step, but we still have work to do because we are still a nation where the majority of women incarcerated are survivors of sexual violence. We are still a nation where people struggling with addiction more easily find jail than treatment. We are still a nation where our prisons and jails are filled with people who are mentally ill and need medical care that they do not receive. We are still a nation where you get better justice if you are rich and guilty than if you are poor and innocent.

So let us celebrate progress. Let us celebrate success. But let us double down again on making our Nation real for everyone because if you want to judge a nation, don't just look at the size of their military, the height of their towers. Go to the dark places. Go to the shadows on this holiday season, celebrating a man who focused on the least of these, as it says in Matthew 25. Did you visit me in prison? If you go there, you see the unfinished business.

If you celebrate this season, remember those who are in solitary confinement, remember those who are suffering unjustly, and remember those most in need of our empathy, our grace, our love.

The First Step Act was the height of my experiences as a Senator, but the United States of America and this greatest deliberative body—we can go higher.

I yield the floor.

The PRESIDING OFFICER. The majority whip.

Mr. DURBIN. Mr. President, I want to thank my colleague. He is outstanding as a Senator and extraordinary as a public speaker. I thank him very much for really driving the message home.

I am sure he would join me in adding our congratulations and thanks to dutiful staff members who worked without any kind of reluctance for months and years to get this project done.

I want to name two of them, and there are others—Joe Zogby, who is my



chief of staff on the Senate Judiciary Committee, and Dan Swanson, who is no longer serving with me. Those two did an exceptional job on this issue and showed the kind of patience that was absolutely essential for success. So I want to add those to the list of those I have thanked.

Mr. BOOKER. Senator, I have four words: Joe Zogby for President.

Thank you.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. VANCE. Mr. President, I rise today to speak to a particular problem in America's higher education system, a problem borne of unfairness and of mass subsidy from the American taxpayer. It has now metastasized into one of the most corrupt and one of the most politically active and politically hostile organizations in the United States of America, and that is elite colleges.

A lot of us have watched not just since the October 7 attacks on Israel but for over a decade as America's colleges seem less and less interested in education and more and more interested in teaching things like racial hatred and various forms of far-left ideology.

A lot of us ask ourselves: How is this possible? How is it that universities that should be responsive to the public will, responsive to their donors and alumnae, and responsive to their students—how is it that they can go so far, so fast, without any pushback?

The answer, my fellow Americans, is university endowments, which have grown incredibly large on the backs of subsidies from the taxpayers, and they have made these universities completely independent of any political, financial, or other pressure. That is why the university system in this country has gone so insane.

At just three universities—Harvard, MIT, and Penn—the endowments are approaching \$100 billion. That is as large as some of the largest hedge funds in America. In fact, Harvard, Penn, Yale—many of our Ivy League institutions and others beyond that—are little more than hedge funds with universities attached to them as pretend.

This must stop. It must stop because it has enabled political insanity. It must stop because it has burdened an entire generation of Americans with over \$1 trillion of student debt—student debt relief that many of my friends on the other side would like plumbers in Ohio to pay for. But I think, if the universities have caused the problem, they ought to pay for it, and if they paid for it, if they didn't have these massive endowments subsidized by taxpayers, then maybe they would be a little bit more responsive to the public will in the process.

I have advanced legislation that would do something very simple: take the hundreds of billions of dollars in large university endowments—not even all university endowments, just the

largest university endowments—and apply a tax to them. Right now, they pay a tax that is less than 2 percent on their net income—far lower than many of the working-class members of my own family and far lower than most Americans pay in taxes.

Why is it that we allow these massive hedge funds pretending to be universities to enjoy lower tax rates than most of our citizens—people who are struggling to put food on the table and buy Christmas presents this season? Yet they enjoy a far higher tax rate than these university endowments. It is insane, it is unfair, and I think we ought to fix it in this Chamber.

My friends on the other side will often talk about how the wealthy don't pay their fair share in taxes. If the wealthy don't pay their fair share in taxes, there is no institution in this country that is a bigger offender than these massive endowments that pay almost nothing.

Mr. President, as in legislative session, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 3514, which is at the desk. I further ask that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Oregon.

Mr. WYDEN. Mr. President, in reserving the right to object, we hear often about this matter of taxing college endowments, that somehow this is going to address college affordability and make the Tax Code, you know, more fair.

I am the chairman of the Senate Finance Committee, and I gather that my colleague has just introduced this legislation—maybe as recently as today. I think it is appropriate that before we start making tax policy on the floor of the U.S. Senate, we have a chance to actually have the Senate look at some of the details.

For example, if we are going to talk about tax fairness, I will just say to the Senator from Ohio that I welcome that. I am the author of the bill to say that billionaires, who now, under the current Tax Code, can go for years and years paying little or no taxes—I am the author of the proposal that would change it. All you have to do is change three words: buy, borrow, and die. That is how they do it—buy, borrow, die, and pay little or nothing for years on end.

So what we ought to do is take the Senator's ideas and anybody else's, you know, ideas and bring them to the Senate Finance Committee. I will tell you I have not seen any evidence in the past about how, somehow, the kind of tax my colleague wants to levy is going to somehow make things better for students, which is what I want to do.

This tax legislation has not been considered by the Senate Finance Committee. That is the correct place to hold a robust discussion about fairness

and affordability. For that reason, I object.

The PRESIDING OFFICER. Objection is heard.

The PRESIDING OFFICER. The Senator from Connecticut.

11TH ANNIVERSARY OF SANDY HOOK MASS SHOOTING

Mr. MURPHY. Mr. President, a few days ago, I was with one of the parents from Sandy Hook Elementary School who lost her son 11 years ago today. She talked about this being the time of the year where she starts to spiral.

Today is a day when we are thinking about all of those parents, about all of those brothers and sisters who, this morning, had to relive the morning that they went through 11 years ago, December 14, 2012, when 20 sets of parents kissed their first graders goodbye as they dropped them off for school and never ever saw them again.

It is a fate that none of us would ever wish on another human being. For those of us who have never experienced the death of a child, there is no way for us to understand what those parents and what those families are going through.

One mother of a child who was lost in Sandy Hook had a tactic that she would use in those early days. She would pretend that her son was just at a friend's house on a playdate to convince herself, as best she could, that he wasn't dead, that he was just visiting a friend around the corner. It was the only way that she could clean up the house, get through her daily work. But then, all of a sudden, it would come flooding back to her that he wasn't at a friend's house; he wasn't around the corner; he was never, ever coming home. The things you have to do on a daily basis to try to process the loss of a child, they are unfathomable to most of us.

I have kind of run out of things to say about these amazing kids and these amazing adults—the adults who protected them that day, the children who would be turning 18 this year.

In Connecticut, we wear our hearts really heavy, but we also get to celebrate all of the things that have happened because so many of these families took their grief and they turned it into action and they turned it into change. So many of these families have started not-for-profit organizations and started charities to try to change other people's lives. Many of these families have been deeply engaged in the work of trying to make sure that mass shootings never happen again.

There has been a lot of joy and many miracles that have resulted from this awful tragedy. It does not square the moral order of the universe, but it is important to pay tribute to the way in which so many members of the Sandy Hook and Newtown community, as well as so many families who are directly affected by this shooting, have been able to manage through the grief and perform miracles at the same time.

We just need to make a decision as a country as to whether we want to live

in a world in which this carnage continues.

This isn't an accident. It isn't bad luck. It is just a choice. It is just a choice we have made to put our kids in jeopardy every single day that they go to school—for kids who live in my neighborhood, in the south end of Hartford, put them in jeopardy every day when they walk to and from school. It is a choice that we make, and we could make a different choice.

So today is a day for me that I think about all of my friends in Sandy Hook, that I think back on that day, being there at the firehouse that was serving as the emergency response hub, being outside the room as parents were told that their children were lying dead on the floor of their elementary school.

But it is also a day in which I remember that we are not helpless. This is also a day in which I recommit myself to the notion that I, as a Member of the U.S. Senate, have something to contribute to the work necessary to make sure that kids never ever, ever face this fate again.

Today, on the 11th anniversary, I have a little bit more hope than I had on the 10th or the 9th or the 8th or the 7th or the 6th or the 5th or the 4th or the 2nd or the 1st anniversary.

Why? Because last year, Republicans and Democrats came together in this Senate in the wake of another mass school shooting, tragically reminiscent of Sandy Hook—the shooting in Uvalde, TX—and we acted. We put aside our political differences. We passed the first serious gun safety measure in 30 years. Even though forces outside of this building opposed it, we decided to come together because we thought we had an obligation to make this country safer, to try to make it a little bit less likely that a parent has to wake up on a morning of the anniversary of their child's death and try to figure out how to survive it. And why, this year, I feel more hopeful and more confident is because we now have data, we now have results in the wake of the passage of last year's legislation.

Right now, as we speak, we are tracking for there to be a 12-percent reduction in gun murders in this country from 2022 to 2023. That would be the biggest ever one-year reduction in gun murders in our lifetime.

What does that mean? It means that 8 or 10 fewer people are dying every day from gun violence. What does that mean? It means that 110, rather than 120, people are dying of gun violence. That is not an acceptable result, but it is proof of concept that when we change the laws to honor the death of so many innocents, we prevent the death of innocents in the future.

So today is a day when I relive that moment 11 years ago today. It is a day when I reach out to my friends in Sandy Hook to tell them how much of my heart is with them. But this year, on the 11th anniversary, it is a day in which I have confidence that if we con-

tinue to do the hard work of changing our gun laws to make it harder for dangerous people to have weapons and harder for anybody to have the most dangerous weapons—the kind of weapons that were used to kill these kids and teachers—that we can save lives.

In 1 year, we have seen the biggest drop in gun murders in our lifetime. It is a result of legislation that we passed, and it is a signal to us of what we can achieve in the future.

I thank my colleagues for what we did last year. I thank my colleagues for making it possible to show the families in Newtown and the victims of gun violence all across this country what is possible. And on the 11-year mark of that tragedy in Sandy Hook, I compel my friends in the Senate to do more.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. HEINRICH. Mr. President, I would ask unanimous consent that we begin the noon scheduled vote immediately.

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

#### CLOTURE MOTION

Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The bill 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. 304, Jerry Edwards, Jr., of Louisiana, to be United States District Judge for the Western District of Louisiana.

Richard J. Durbin, Peter Welch, Sheldon Whitehouse, Alex Padilla, Christopher A. Coons, Margaret Wood Hassan, Tina Smith, Benjamin L. Cardin, Richard Blumenthal, Mazie Hirono, Chris Van Hollen, Michael F. Bennet, John W. Hickenlooper, Mark Kelly, Robert P. Casey, Jr., Tim Kaine, Patty Murray.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Jerry Edwards, Jr., of Louisiana, to be United States District Judge for the Western District of Louisiana, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Connecticut (Mr. BLUMENTHAL) is necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Tennessee (Mr. HAGERTY) and the Senator from North Carolina (Mr. TILLIS).

The yeas and nays resulted—yeas 66, nays 31, as follows:

[Rollcall Vote No. 344 Ex.]

#### YEAS—66

Baldwin	Hassan	Reed
Bennet	Heinrich	Rooney
Booker	Hickenlooper	Rosen
Brown	Hirono	Rounds
Butler	Hyde-Smith	Rubio
Cantwell	Kaine	Sanders
Capito	Kelly	Schatz
Cardin	Kennedy	Schumer
Carper	King	Shaheen
Casey	Klobuchar	Sinema
Cassidy	Luján	Smith
Collins	Manchin	Stabenow
Coons	Markey	Tester
Cornyn	McConnell	Van Hollen
Cortez Masto	Merkley	Warner
Duckworth	Moran	Warnock
Durbin	Murkowski	Warren
Ernst	Murphy	Welch
Fetterman	Murray	Whitehouse
Gillibrand	Ossoff	Wicker
Graham	Padilla	Wyden
Grassley	Peters	Young

#### NAYS—31

Barrasso	Fischer	Ricketts
Blackburn	Hawley	Risch
Boozman	Hoeben	Schmitt
Braun	Johnson	Scott (FL)
Britt	Lankford	Scott (SC)
Budd	Lee	Sullivan
Cotton	Lummis	Thune
Cramer	Marshall	Tuberville
Crapo	Menendez	Vance
Cruz	Mullin	
Daines	Paul	

#### NOT VOTING—3

Blumenthal	Hagerty	Tillis
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The PRESIDING OFFICER (Mr. KING). On this vote, the yeas are 66, the nays are 31.

The motion is agreed to.

The PRESIDING OFFICER (Mr. PETERS). The Senator from Massachusetts.

#### UNANIMOUS CONSENT REQUEST—EXECUTIVE

#### CALENDAR

Ms. WARREN. Mr. President, I rise today to ask the Senate to confirm Ron Keohane to be Assistant Secretary of Defense for Manpower and Reserve Affairs.

In this role, Mr. Keohane will be the principal adviser to the Secretary of Defense on all matters relating to the civilian and military personnel policies. He is extremely well-qualified for this role, previously serving as the Deputy Assistant Secretary of Defense for Military Community and Family Policy.

We need someone with Mr. Keohane's sense of experience to oversee and develop policies to support our servicemembers and their families, as well as to oversee our DOD schools. Strong leadership is also essential to address our military recruiting crisis.

I recently held a hearing in my subcommittee, which the Senator from North Carolina attended, that identified a long list of areas where our military services can continue to step up to inspire more young people to serve. They need someone like Mr. Keohane to make sure that the services actually follow through.

No one is disputing Mr. Keohane's qualifications. The Senate Armed Services Committee voted unanimously to advance his nomination. The only reason that Mr. Keohane's nomination has not already been approved is because



the Senator from North Carolina is willing to play politics with our national defense.

As we all know by now, the Senator from North Carolina disagrees with the Department of Defense's policy to help members of the military and their families access healthcare, specifically reproductive healthcare. Republican Senators claim they wanted a vote on DOD's policy on abortion; but just this week, they lost a vote to move forward toward overturning that policy. So if they can't get it on a straight-up vote, they are now blocking Mr. Keohane out of spite.

Last week, after months of undermining our national security, the Senator from Alabama backed down with nothing to show for his nearly yearlong blockade of promotions for hundreds of senior military officials—nothing to show, that is, except for the long-term damage he inflicted on our military personnel, on their families, and on our military readiness.

So now the Senator from North Carolina is stopping well-qualified nominees. He has no specific objection to this nominee. In fact, the Senator serves on the Senate Armed Services Committee that unanimously advanced Mr. Keohane's nomination. But the Senator from North Carolina now blocks the confirmation of Mr. Keohane.

We need leaders at the Department of Defense. Blocking these confirmations is corrosive to our national security.

Our Nation cannot continue to hold key national security officials hostage. We must put the safety and well-being of our servicemembers first. Our greatest strength as a nation is our people, and we need a confirmed leader like Mr. Keohane to make sure that our servicemembers have everything they need to succeed.

Mr. President, I ask unanimous consent that the Senate consider the following nomination: Calendar No. 109, Ronald T. Keohane, of New York, to be an Assistant Secretary of Defense; that the Senate vote on the nomination without intervening action or debate; and 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 objection?

The Senator from North Carolina.

Mr. BUDD. Reserving the right to object.

Mr. President, Mr. Keohane has been nominated to be the Assistant Secretary of Defense for Manpower and Reserve Affairs, which is the senior leadership role in the Office of the Under Secretary of Defense for Personnel and Readiness. This is the very office responsible for the Department of Defense's abortion travel policy.

I have been very clear with the Pentagon since the day that I placed a hold on Mr. Keohane that I would be happy to release it if Secretary Austin would rescind this abhorrent policy.

This policy has been politicized. It has politicized the military. It has harmed the institutional norms of our country.

Beyond the clear violation of basic morality, Congress never authorized the Department to use taxpayer funds to facilitate elective abortions. Now for the Biden administration to begin such a policy and use taxpayer resources to aid in the taking of unborn life, it defies the will of Congress. And it violates the spirit—if not the letter—of the law. Now taxpayers—many of whom have deeply held religious and moral objections to abortions—they are on the hook to facilitate the very abortions that they fundamentally oppose.

Worse yet, the Pentagon's stated reason for issuing the policy was that the Supreme Court Dobbs decision had "readiness, recruiting, and retention implications." This is total nonsense. The Pentagon was, and is still able, to provide any data or evidence to support their claim. For the administration to cling to this policy is just wrong.

At the end of the day, whether it was the hundreds of holds from my colleague from Alabama or my hold on Mr. Keohane, the reason to resolve and the power to resolve this situation, it begins and ends with the power of one man, and that is Secretary Lloyd Austin. With the stroke of a pen, Secretary Austin can fix this situation and end the impasse. It is time for him to do the right thing and to rescind the policy now.

I object.

I yield the floor.

The PRESIDING OFFICER. Objection is heard.

The Senator from Massachusetts.

Ms. WARREN. Mr. President, I think what the Senator from North Carolina has just said is he doesn't like the abortion policy that the Department of Defense has adopted.

He is right. It is a new policy. It is a policy that was made necessary because an extremist Supreme Court overruled *Roe v. Wade* with the Dobbs opinion and forced the military to have to decide how to deal with access to healthcare, access to abortions for people who were now involuntarily stationed in States where that care was no longer available.

The Senator, and all of the Republicans, were offered a vote on the Department of Defense's policy. And we voted just this week on a measure that would move toward that vote. And it failed. In other words, the Republicans who oppose this policy simply don't have the votes.

So instead of yielding to the will of the majority and letting this policy go through without a problem, instead, they play politics with the people who are trying to serve our Nation.

That Mr. Keohane gets caught in this—someone who is willing to serve our Nation and, most importantly, right now, to help our servicemembers live their best opportunities in the

military at a time when we are having recruiting challenges, is just putting politics ahead of the defense of the United States; it is putting politics ahead of our servicemembers and putting politics ahead of our servicemembers' families.

I think this is fundamentally wrong. They had a vote; they lost; they don't like it; and they are holding Mr. Keohane just out of spite.

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. KENNEDY. Mr. 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. 3533

Mr. KENNEDY. Mr. President, I want to talk a few minutes about seafood.

In many respects, at least in terms of our physical health, we are what we eat, and Americans have been eating a lot more seafood, which is good for you.

A lot of people don't know this. I didn't until I researched. Ninety-four percent of the seafood sold in the United States is imported—94 percent. That is a pretty extraordinary figure. Of the various types of seafood, shrimp represents the highest volume of imports of total edible fishery products.

Given that this seafood is imported, we have to be careful. For that reason, Congress created what we call the Seafood Import Monitoring Program. I am going to call it SIMP, S-I-M-P. So if I say "SIMP," you will know what I am talking about. SIMP's job is to make sure that these foreign imports are safe—safe to eat for the American people.

SIMP has jurisdiction over 13 different species groups and about—well, over 1,100 unique species. As I said, that includes shrimp and red snapper but almost all forms of seafood that are grown overseas, are produced overseas and imported—or exported, I should say, to the United States.

Now, this sounds simple, but it is not. SIMP's job is to ask questions. SIMP wants to know how the seafood was caught. SIMP wants to know the conditions under which the seafood was farmed, if it is a domestic product. If the seafood has been processed, SIMP wants to know how it was processed, what the final form was supposed to look like and what it actually does look like.

SIMP is supposed to keep us safe. Part of the way that SIMP keeps us safe is to inspect the product—not just look at the reporting requirements that the foreign producers give to SIMP but actually look at the product, whether it is the raw seafood or whether it is processed. SIMP inspects it.

In fiscal year 2020, SIMP—once again, the Seafood Import Monitoring Program, SIMP—and its auditing team

completed 1,131 investigations. That is the good news. The bad news is, that was only 1 percent—1 percent—of all of the imports.

Of the audits or investigations—the inspections, if you will—that SIMP did, about 40 percent of those were on shrimp. Of the 40 percent that SIMP did on shrimp, 35 percent were found to be not in compliance with the rules. Thirty-five percent was unsafe.

This is serious business. Unlike most of our domestic producers, a lot of the producers in foreign countries try to produce their shrimp or their seafood on the cheap. They raise the product in filthy water. They don't have rigorous standards for processing the product if they take the raw product and turn it into a final product. Oftentimes, many of these foreign producers shoot the shrimp and other forms of seafood, like red snapper, with antibiotics, which, of course, if you eat enough of them, makes you resistant to those antibiotics if you get sick in another way that the antibiotics could cure.

I mean, let me just be blunt. Some of this product is unsafe. It will make you grow an extra ear. And that is why we have SIMP, is to say: Wait a minute. You can't sell this in the United States.

Once again, of the 1,100-and-change inspections that SIMP did in fiscal year 2020, 40 percent were shrimp, and SIMP found that 35 percent of that 40 percent failed the test.

SIMP is able to inspect, as I said, 1 percent of this exported—for us, imported—seafood. One percent. It needs to be doing 10 percent. It needs to be doing 10 percent, and my bill would help them do 10 percent. My bill would provide additional funding for additional seafood inspections on imported seafood, and we would be asking SIMP to go from 1 percent inspections of all imported seafood to 10 percent.

Now, there is no free lunch, Mr. President, and you don't get one now. My bill costs money. It will cost \$36 million. In the grand scheme of our spending, that is not much, but \$36 million is a lot of money. And I didn't want to come up here and just offer a bill that was a money suck; I wanted to come up here and say: Look, we have a problem. It will cost \$36 million to solve it, and here is where the money is going to come from.

The money, the \$36 million, will come from the money that has been appropriated—the extra billions of dollars that have been appropriated—to the Internal Revenue Service. The IRS, believe me, will never miss the \$36 million. The IRS wastes that much money between bites of oatmeal at breakfast.

If we do this bill, people can enjoy their seafood, and they can appreciate the fact that it is safe.

So for that reason, as if in legislative session, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 3533, which is at the desk—and S. 3533, as I just indicated, is the Seafood Import Monitoring Pro-

gram Audits bill—and I further ask that the bill be considered read a third time and passed, and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Mr. WYDEN. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, I just heard about this legislative idea a few minutes ago. So I really have very little information about it.

But what I can tell you is, we already know what the bottom line is. The amendment offered by the Senator from Louisiana will hurt honest taxpayers and will help wealthy tax cheats. That is the bottom line.

Now, I am all for seafood inspections. We have got loads of seafood in our part of the world. But I want to take just a minute to talk about the reasons that Members of this body ought to oppose the legislation.

First—and the Congressional Budget Office has made this point—this amendment uses the fake offset of cutting IRS funding. The cut in IRS funding included in this amendment doesn't pay for an increase in seafood inspections; it increases the deficit. And the reason I say that is because that is what the Congressional Budget Office says about these ideas.

The Congressional Budget Office are the folks that we put in place to give us objective, nonpolitical analyses of various important ideas. The Congressional Budget Office are the people that we use on the Finance Committee regularly, and the Congressional Budget Office has said that every dollar cut from the IRS budget reduces revenue by \$2. And that increases the deficit.

Second, this has given a big pass to wealthy tax cheats. People need to know that the reason there is a focus on IRS enforcement is because the wealthy tax cheats have the lawyers and accountants, and they have all kinds of ways to get around the rules. The working families that we represent—the folks in Michigan, the automobile workers—pay taxes with every single paycheck. We know what kind of financing they have because they pay with every check. It is the wealthy tax cheats that we have to deal with.

And I just say to my friend, the kind of person that he has given a pass to is—we recently found almost a thousand millionaires who didn't even file a tax return. Not one of the scams—they didn't even file a tax return, almost a thousand millionaires. The Federal Government lost more than \$30 billion just on that.

So the Senate ought to be focusing on making sure that we have tough IRS enforcement, that we have the funding to improve services for all taxpayers—all of them—and, particularly, ending the free ride, once and for all, for wealthy tax cheats.

And the service has gone up. We have seen reduction in waiting times for calls from 28 minutes to 3 minutes.

I wish I had time to have a more extended exchange with my colleague. We are, right now, in our caucus meeting having debates on important issues.

But I would just say, in the future, if my colleague could even give us 15- or 20-minutes' notice, we could maybe have a more extended discussion.

The people who get help here are wealthy tax cheats. The people who are hurt here are honest taxpayers. And for that reason, I object.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. KENNEDY. Mr. President, look, I understand Senator WYDEN's point of view. I don't think he meant this, but I don't want to leave anyone with the impression that he didn't know about this bill and that all of my colleagues didn't know about this bill.

We have something called a hotline. And when we have a bill and we want to try to move it on the floor, we, through this hotline, notify well in advance every Senator: Hey, KENNEDY is coming to the floor at this time, on this day, with his bill. If you object to it, you can come down and object.

That hotline was sent to Senator WYDEN. It was sent to all the other 98 of my colleagues. It was sent to every single Senator, and we do hotlines every day.

So if he was surprised, I am sorry. But that is between him and his staff.

Point two, I appreciate Senator WYDEN's point of view. He is a smart gentleman. He is smart enough to know this has nothing to do with wealthy tax cheats. This has to do with safe seafood for the American people.

The bill would have cost \$36 million. It would come from the IRS. No Republican Senator voted for it. My Democratic colleagues gave the IRS \$80 billion extra—\$80 billion extra—to go out and audit the American people. This will take \$36 million of it to make sure that they are still alive when the IRS audits them because they may not be eating dangerous shrimp full of antibiotics.

Does the IRS need all \$80 billion? Of course not. How do I know that? Don't take KENNEDY's word for it. Take the word of the gentleman who asked us to pass the bill: President Biden. He has already told us the IRS doesn't need the full \$80 billion. He offered up \$20 billion to us for this year's budget to spend on other things.

So the idea that the world is going to spin off its axis—and wealthy tax cheats and all of this other foolishness—is just not accurate. I say that with all respect to my colleague, Senator WYDEN.

I will be back. For \$36 million, we can protect the American people. I can promise you that the seafood board will spend that money better than the Internal Revenue Service. That is faint praise, but I can promise you that will happen.

My final point, I appreciate the opportunity to present this bill. Be careful what you eat, particularly if it is imported seafood. I am not kidding you. If you are eating seafood, given the statistics, you are probably eating foreign seafood, and this stuff can be dangerous. I mean it. Some of this product has enough antibiotics in it that you will grow an extra ear. And you don't want that.

The best way to be safe is to eat domestic seafood—good old American seafood. But if you don't, if you are going to eat foreign seafood, be very, very careful.

I will be back with a very common-sense approach to try to solve that problem, and I am sorry we couldn't do it today.

Thank you, Mr. President, for your time, and I thank Senator WYDEN. And I wish both of you a Merry, Merry Christmas.

The PRESIDENT pro tempore. The objection was heard.

The PRESIDING OFFICER. The Senator from Texas.

UNANIMOUS CONSENT REQUEST—H.R. 6503

Mr. CRUZ. Mr. President, over the next 2 weeks, more than 7.5 million Americans will fly to see loved ones and to celebrate the holidays—a record number.

This is no easy feat. A seamless travel experience depends on airlines, on air traffic controllers, on airport managers, on TSA screeners all working together for the aviation system to run efficiently during times of extreme strain like the holiday season.

At the center of this effort is the Federal Aviation Administration, but there is one problem: The FAA's authorities are set to expire at the end of the year.

Without the FAA extension, air travel and air cargo for those counting on quick shipping during Christmas and New Year's will be severely impacted. At the moment, we face a potential challenge of not extending the FAA's authorities because of the objections of a Senate Democrat.

This is irresponsible and, frankly, bad for the safety Agency's ability to operate effectively. For the past year, Senator CANTWELL, the chairman of the Commerce Committee, and myself have worked to pass a long-term FAA authorization. The authorization we drafted on a bipartisan basis addresses airport infrastructure, workforce challenges, ATC staffing, protections for passengers, the safety framework, manufacturing. I could go on.

It is an important bill that makes progress toward solving some of the challenges facing aviation, but we need to make sure we get it right. We now find ourselves having to pass a second short-term FAA authorization in less than 6 months, without even having gotten the bill through committee.

This situation was entirely avoidable, but special interests, in particular the pilots' unions like ALPA, have decided that if they can't get

their way, then the American people should pay the price.

There have been several times throughout this process where we thought we had a deal, but, inevitably, some of my colleagues on the other side of the aisle, often spurred on by the union, have tanked these agreements.

Each month, it seems, there is a new issue we are told cannot be in the FAA bill because the unelected special interests are opposed to it. First, it was a modest reform to update pilot training. Then it was raising the retirement age for pilots. Imagine telling a perfectly healthy 66-year-old pilot who wants to fly, no, you can't fly anymore because your union has decided that younger pilots—with a lifetime of union dues still to pay—are more important than you are.

What next will unelected, unaccountable, special interests tell Senate Democrats that we are not allowed to have in the FAA bill?

Let me be clear. Short-term extensions are not good for the FAA. This extension until March should be the last extension. I am not satisfied with kicking the can down the road. I don't presume to speak on behalf of my partner in this effort, Senator CANTWELL, but I am certain that she doesn't want to continue kicking the can down the road either.

I would prefer that we pass a serious, multiyear authorization, such as the bill Senator CANTWELL and I agreed to in June, but, unfortunately, in the months since that stalled markup, we have not made substantial progress, and we still have numerous outstanding provisions.

I am very concerned that given the time we have, the limited progress we have made, and the constant moving goalposts in bill negotiations, that we are getting to the point that we will be forced to extend the FAA's authority until 2025.

I don't want to do that. I don't think Chair CANTWELL wants to do that either. We need to get this bill done, and I am still committed to trying to do so if it is a bill that is actually bipartisan and not a special interest wish list that ignores very real problems like the pilot shortage.

In a moment, I will ask unanimous consent for the Senate to pass the FAA extension, which will last until March 8. The House earlier this week voted 376 to 15 to pass this legislation. The Senate cannot leave for the holidays without passing an extension.

Without an extension, here is what would happen: No. 1, all airport construction projects using FAA grants would immediately stop. No. 2, the FAA would lose the ability to make new expenditures from the aviation trust fund, causing many employees in airports, facilities and equipment, and R&D offices to be immediately furloughed. No. 3, special authorizations for drone operations would expire. No. 4, airlines would have no authority to

collect ticket taxes that fund the aviation trust fund.

In 2011, the last time the FAA's authorization lapsed, more than 4,000 FAA employees were furloughed, and the FAA lost more than \$400 million. The 2-week lapse halted billions of dollars' worth of construction projects and impacted more than 70,000 construction jobs.

Leaving town without giving the FAA the certainty to operate would be a mistake. I remain committed to working with Senator CANTWELL to negotiate a truly bipartisan FAA bill that the Agency, the industry, and the flying public deserve.

And with that, I yield the floor to the Senator from Kansas.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MORAN. Mr. President, I thank my colleague from Texas Senator CRUZ, and I appreciate his leadership. He is here to make the effort to see that we reauthorize, on a temporary basis, the FAA. He is absolutely right; it has to be done before the end of the year. We are creating more uncertainty every day, every hour that we fail to do so. It is regrettable that the Senator from Texas is here to do that. It is almost a question in my mind, When do we have an agreement that is not an agreement?

We have been down this path several times now in which we believe we are ready to markup, only to find that something else stands in the way.

I was here earlier today to talk about the importance of a long-term reauthorization. And while I am here to support the short-term extension, only to get us to the point of a long-term reauthorization, it is significant that we do what we need to do today, and that means it is then an opportunity for us to complete our work in the early year—the few first weeks of January 2024.

We came together to confirm an FAA Administrator. We can do this. We did it 98 to zero. I implore my colleagues to allow this opportunity to have this short-term extension take place, and, most importantly, I implore my colleagues that we find this path forward for the safety of those Kansans and the safety of Americans who utilize our airways.

Our country's economic interests, our public's safety interests all come together. It is a mistake for us to have short-term extension after short-term extension. One last time, let's do it today and complete our work.

We should be able to do this, and I ask that we extend the FAA today and complete our work in January. I thank the gentleman from Texas for his efforts to accomplish that goal.

Mr. CRUZ. Mr. President, at this point, I yield to the Senator from North Carolina.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. BUDD. Mr. President, in the past year, we have witnessed one aviation

failure after another from the Biden administration. They began the year by nominating someone to head the Federal Aviation Administration who didn't seem to know the first thing about aviation.

The administration's Secretary of Transportation has presided over a series of, shall we say, transportation challenges. From near-miss incidents to the first nationwide ground stop since 9/11, the Department doesn't seem to have a handle on its basic function, and that is looking out for the safety of the traveling public.

Now Senate Democrats are blocking the FAA from being reauthorized right before the holidays. And the consequences of this lack of action, it could be really severe. The FAA would lose the ability to collect revenue and spend money from the Airport and Airway Trust Fund. That would be disastrous, as the aviation trust fund is one of the few funds in Washington that actually runs a surplus each year.

The Airport and Airway Trust Fund finances important safety improvements for airports across the country, and any lapse in authorization threatens to halt new and existing construction projects.

The FAA would also lose the ability to hire new air traffic controllers at a time when key facilities are experiencing staffing shortages.

Finally, a lapse in authorization could mean 10 percent of FAA's workforce will be furloughed on January 1. Simply put, families who are trying to visit their friends and loved ones for the holidays, they shouldn't have to endure more hoops, hurdles, and delays.

America, we have the best aviation system in the world, and we can't let politics get in the way of that.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CRUZ. Mr. President, as in legislative session, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 6503, which was received from the House; further, that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Colorado.

Mr. BENNET. Mr. President, reserving the right to object, it is good to be here on the floor with my colleagues. I actually was going to talk about the FAA, but I came out here, and I got accused by the Senator from Texas of being irresponsible. And my friend Phil Washington, who is up for the FAA, was attacked for not knowing anything about airports.

So I just want to address those two things before I go into my remarks. One, to the gentleman from North Carolina, Phil Washington knows a considerable amount about transportation and aviation in this country.

That was ignored by the Senator from Texas. It is being ignored this afternoon by the Senator from North Carolina.

He runs Denver International Airport. That is one of the largest airports in the United States of America. It is an airport that has been built more recently than any other airport in the United States of America. It has the third largest traffic in the world. It now has the United hub there. I was just talking to the President of United yesterday, CEO. They have more traffic coming through there than they do in Chicago.

So, for the record, let me just say, Phil Washington knows a lot about this, and I am sorry that his nomination didn't go forward. That is not why we are here today.

Let me also say, since he called me irresponsible, that it is nice to hear the Senator from Texas come out here and plead for some regular order, in terms of how our government should work, to worry about the fact that people could be furloughed or laid off; that they are uncertain of the future because the bill is not permanent.

These were all concerns he did not have the last time we were on the floor together when he had shut the government down while Colorado was literally underwater because of floods, when we were out here having that crocodile tears speech the last time, and I am glad that he has reconsidered all of that and that he wants the FAA to run in a proper fashion.

But I don't think it is irresponsible for me to be here today to object, and I will object to this request because I think it is critically important for us to use this moment to fulfill our obligations in the world, to the United States' national security, and to our commitment to democracy both here and throughout the Western world.

The Ukrainian people were invaded 2 years ago by Vladimir Putin. They didn't ask for that. By a tyrant. They did not ask for that.

The intelligence agencies told us that Kyiv would be taken in 72 hours. That is what they said it would take. My colleague from the Intelligence Committee is here on the floor, and he knows that. They were told that Putin would be able to install a puppet government in Ukraine and be able to dictate the future of the Ukrainian people, be able to keep Ukraine from being part of the West.

Well, as sometimes happens in human history, they were completely wrong. They were completely wrong. The Ukrainian people, much to the surprise of the entire world, because of their courage, because of their bravery, because of our support—both our intelligence support and the armaments that we have been able to ship them, which, by the way, have allowed us to restart our own national security efforts because we are building those weapons systems here in 38 States—the Ukrainian people have taken back half

the territory that Putin took from them. Nobody would have ever believed that.

The Ukrainian people and their military have pushed Putin's navy out of the Black Sea without even having a navy. They have no navy, and those guys are so unbelievable that they have taken the tools that they have created and that we have given them to push Putin out of the Black Sea and to reopen those incredibly important grain shipments to the rest of the world to keep the rest of the world in this war. They have won battle after battle after battle.

I hear people around here—it is so tiresome—say that the stalemate on the frontlines between Zelenskyy and Putin, between Ukraine and the Russian troops, is somehow a failure for Ukraine on their part. Nothing could be further from the truth. Nothing could be further from the truth.

It is a miracle—actually, it is not a miracle because they did it through their blood, sweat, and tears. It is a testament to the sacrifice that the Ukrainian people have gone through, to what their troops have gone through, to the number of Russian troops and Russian artillery that they have taken off the battlefield, that they have created a stalemate in this war. That is not an admission of failure; that is an admission of success.

What we are trying to figure out today, when we go into this long winter, when Putin is on television today saying that the Ukrainians are out of bullets, that the United States is going to stop funding the Ukrainian people, telling the Western world, the free world, which has been so inspired by what the Ukrainian people have done, so inspired by their courage and their bravery that they have come together, with the leadership of the United States, to strengthen NATO in ways nobody could have imagined, and to have free citizens all over the world say to people like the Senator from Texas and me: Do more. Do more. Do more.

That is what they are doing during this Christmas season. They are fighting for their lives. They are fighting for democracy. They don't get to say "OK, it is time to go home" 11 days before Christmas has happened. Their fight is our fight. Their fight is our fight.

(Ms. BUTLER assumes the Chair.)

Madam President, I held up the budget bill a few months—by the way, it is very nice to see the Senator from California in the Chair. I have never seen you up there. Good to see you.

I held the budget bill several months ago on this floor because it had no funding for Ukraine, even though we said that we would fund Ukraine, because there was no plan to get it funded. On the single most important thing we have in front of the world, not just the Senate of the United States, we had no plan to fund Ukraine, and I thought that was a lousy message to send, and it was a lousy message to

send. We left here without funding it. Actually, it turned out we left here without a Speaker of the House.

We left here with bright lights flashing on the institutional incompetence of our own democracy, which, by the way, that is not a great look for the United States of America. And what happened? We left, and a death cult called Hamas killed 1,400 Israelis while we were gone, and now we have a war going on in the Middle East. The world is an unpredictable place.

I am encouraged because a few days ago, it looked to me like this deal was dead. A few days ago, I was facing the prospect of calling up my mom, who was born in Warsaw, Poland, in 1938, who is still alive—the worst moment probably in human history to be born Jewish and the worst place on the planet to be born when she was born—who can't believe she has lived long enough, and thank God she has lived long enough—but she would say: I can't believe I have lived long enough to see another land war break out in Europe. But she has, and it happened.

I thought I was going to have to be in a position of saying to my mother: We haven't learned anything from history. We haven't learned anything about the 16 million people who were killed in the years after she was born just in Poland and just in Ukraine, just in those two countries, by Hitler and by Stalin. We haven't learned anything. We are too tired. We are too busy. We are too distracted by the other stuff that is going on in the United States of America to actually do our work—which, by the way, no other country in the world can do. There is no other country in the world that can turn on the leadership that we can provide. There is no other country in the world that can provide the munitions we are providing.

I want to say again to the American people that virtually 90 percent of the armaments that we are sending to Ukraine are being made here in the United States of America, 38 States—Colorado is not one of them—putting people to work all over the United States, driving incomes up but also, more important than that, making us ready in a world where Hamas has attacked Israel, where Putin has invaded Ukraine, where Xi is watching every single day to see whether we are going to turn our backs on our allies in the free world who have done everything that anybody here could have asked for. In fact, nobody would have ever asked for it because nobody here would have believed it was possible. No one would have believed it was possible. And for what, by the way? Zelenskyy told us in the first Zoom call we had with President Zelenskyy: Just so we can live our lives the way you live your lives.

He said the other day, in front of the Democrats and Republicans who came to see him when he was here, that he thought he could win if we continued to supply him but that he would lose if we didn't continue to supply him.

He said: Either way, we are going to fight to the death—either way, with your help or without your help. One way, we will be successful. The other way, we are going to lose.

He said: The reason why we are going to do that is because the Ukrainian people love freedom, because the Ukrainian people want to live their lives the way you live your lives.

I mentioned the Middle East. Every day—and I hear my colleagues on the other side of the aisle say every single day Iran is now attacking our troops in Iraq. The Houthis are sending their missiles to attack shipping around Israel and around the Middle East.

There are flashing red lights going on all over the Middle East, and the Israelis have to worry about another front opening up there.

Finally, of course, China is watching what we are doing as well.

I would never have attached these border issues to the Ukraine bill. I would never have attached these immigration issues to the Ukraine bill. But some Republican colleagues have done it because they have said: This is an important bill. We are going to use this to leverage our concerns about immigration or the border.

I have a lot of concerns about a lot of things. I think our education system doesn't work well for poor kids in this country at all. I think our healthcare system doesn't work well for the American people. But I am not attaching those to this piece of business.

But I have heard Republicans who support Ukraine who have said they need to do this in order for us to have a bipartisan bill. I have heard the President of the United States say our immigration system is broken. I have heard the Homeland Security adviser, the Secretary of Homeland Security, say the same thing.

I will tell you, I think the American people do not want an immigration system that is run by transnational smuggling rings, transnational gangs that are sending people to the border of the United States at record numbers. I don't think the American people want that.

So if there is a way for us to have a negotiation here that can get us to a good result for the American people on immigration and on the border, and that is the price people have said they are going to insist on, I have been willing to have that discussion, and I will be willing to have that discussion. It is one of the other reasons why I think we shouldn't leave.

But as I said a few days ago, we were making no progress. Now, finally, we are making some progress, and the world is watching what we do here, and we can't fail. Given how screwed up American politics can be, it can make you wonder whether we ought to take an extra day or a day after that or an extra few days or whether we ought to just stay here and do the work or whether we ought to move on to other things, like the FAA bill, before we are done.

I know I have tested your patience, and I have tested the patience of the Senator from Texas, I am sure, this afternoon, and I am going to stop. But I want to finish by saying, at least speaking for myself, I don't think there is anything that anybody who is here will ever do in this Senate that is going to be more important than the vote we are going to take on additional funding for Ukraine.

I think we are going to either establish or reestablish America's very special place in this world and our leadership of free countries and democracies around the world or we are going to squander that in the face of what Putin is already telling us he is going to do, in the face of what the Iranians are already doing to our soldiers who are in the Middle East, and in the face of what Xi Jinping is thinking about with respect to Taiwan.

The authoritarian leaders in this world think they have a better way of running human affairs than democracy. I think they are wrong.

When the Ukrainian people have fought as hard as they have for the last 2 years and eclipsed any expectation that anybody could have had for them, the least we can do is continue our support.

Finally, let me say, as I close, that it is going to be really important for us to get back to a place where we can have a bipartisan discussion about how to create a functional immigration system in America.

Now, I am not just talking about the border. Immigration has been a fundamentally important part of our country's history, and it will be a fundamentally important part of our country's future. It is a massive advantage that the United States has over other countries around the world when it is working well. And there are people all over the world who want to be here. No one is crossing the Gobi Desert to get into Beijing, and we should be happy about that. They want to come here.

One of the highlights of my life has been in 2013, when I was part of the Gang of 8 here that negotiated an immigration bill that had a pathway to citizenship for 11 million people that were undocumented. It had the most progressive Dream Act that had ever been written. It had all the visa stuff for farmers and ranchers and for business people. It had \$40 billion in border security to strengthen our southern border and be able to say to the American people that we are taking that seriously. Unfortunately, it didn't pass.

And times have changed since then. You know, these transnational gangs have made it their business to make billions of dollars sending people to the southern border every single day, and we have to take notice of that. We are going to have to adjust. But I hope that doesn't mean there won't be a day that comes back where we have a chance to do it in a bipartisan way.

In the meantime, we have to get our work done in Ukraine. In the meantime, we shouldn't leave. In the meantime, I don't think we should move on to other pieces of legislation. For all those reasons, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Texas.

Mr. CRUZ. Madam President, early in his remarks, the Senator from Colorado said the last time he and I were on this floor debating was when I had shut down the government and he was stepping forward to save those who had been shut down. Now, that would be entirely accurate if my name were CHUCK SCHUMER; but since it is not, what the Senator from Colorado said is blatantly, objectively false.

The last time he and I were doing this, the date was January 24, 2019. We were in the midst of the Schumer shutdown. CHUCK SCHUMER and the Democrats had forced a shutdown. The Government was shut down, and there was a particularly unfair aspect of that shutdown, which is that Congress had voted to fund the military—the Army, the Navy, the Marines, and the Air Force—but the Coast Guards had been left out because the Coast Guards are not in DOD, they had been left out. On January 24, 2019, Senator SULLIVAN and I came down to this floor to seek equity for the Coast Guard, to simply say: Pay our Coast Guardsmen the same as our soldiers, sailors, airmen, and marines—and the Senator from Colorado stood up and objected. So understand, what he just said is exactly opposite of what happened.

Our Coast Guardsmen went weeks in 2019 without being paid during that shutdown because the Senator from Colorado objected to their getting a paycheck. And during his remarks on that day, he jumped up and down and screamed at me and insulted me to great fanfare. And I think he was proud of his performance, because he then put it in his launch email for his Presidential campaign that “I screamed at Cruz.”

Now, I suppose I should feel mildly offended that that was not a persuasive argument in the Democratic primary and he got maybe a percent.

That was the last contest: shutting down the Coast Guard where the Senator from Colorado was responsible for tens of thousands of Coast Guardsmen not getting their paychecks.

Understand where we are today. Today, the question is, does the FAA stay open or not? And once again, the Senator from Colorado is the shutdown Senator. The FAA extension would pass had he not said those two words “I object.”

Now, we heard from the Senator from Colorado a long discourse on Ukraine. You know, remarkably missing from that discourse was acknowledgment that responsibility for the war in Ukraine falls very directly on the Biden White House, on Senate Democrats, and on the Senator from Colo-

rado in particular who played a direct role in causing the war in Ukraine.

Now, how is that?

Putin did not wake up yesterday wanting to invade Ukraine. He has wanted to invade Ukraine for years. He did so in the year 2014. He invaded Crimea in the southern portion of Ukraine. But he stopped. He did not go into the full country.

Why? Because Russia's major source of revenue is selling oil and gas, and the natural gas pipelines run right through the middle of Ukraine. He could not risk damaging or destroying those pipelines.

So in 2015, Vladimir Putin began what is known as Nord Stream II, an undersea pipeline from Russia to Germany, the entire purpose of which was to circumvent Ukraine so once it was built and operational, he could invade Ukraine.

In 2019, I authored sanctions legislation to shut down the Nord Stream II pipeline. That sanctions legislation got overwhelming bipartisan support, including from the Senator from Colorado. It passed, and Putin shut down building the Nord Stream II pipeline literally the day President Trump signed my sanctions legislation into law.

In December of 2020, I again authored bipartisan legislation putting more sanctions on Nord Stream II. Once again, the Senator from Colorado and every Democrat supported it. It passed and was signed into law.

Joe Biden became President January 20, 2021. Four days later, on January 24, Putin resumed deep sea construction of the Nord Stream II pipeline. Four days later. Why? Because Biden had telegraphed weakness. He had told Putin: I am going to go soft on the Nord Stream II pipeline.

And what he telegraphed was accurate, because several months later, Biden formally waived sanctions on Nord Stream II. He gave a multibillion dollar gift to Putin and allowed him to complete the pipeline.

Now, in January of 2022, I forced another vote on the Senate floor—a vote to reimpose sanctions on the Nord Stream II pipeline. The Senator from Colorado just invoked President Zelenskyy. Oddly enough, he didn't seem to care what President Zelenskyy thought in January of 2022, because President Zelenskyy in January of 2022 begged the U.S. Senate: Please pass Cruz's sanctions legislation. It is the last best hope to stop Russia from invading Ukraine. The Government of Poland put out a formal statement saying: Please pass Cruz's sanctions. If you do not, Putin will invade Ukraine.

On the day of the vote, Joe Biden came to Capitol Hill. He came to meet with the Senate Democrats. It was the first time in his presidency he had done that. And he asked them as a personal favor: Will you stand with the Biden White House? Will you stand with Russia? Will you stand with Putin—will you vote to give billions of dollars to

Putin? And, I am sorry to say, 44 Democrats flipped their votes.

On the day of the vote I stood here on the floor and said: If you vote no, we will see Russian tanks in the streets of Kyiv. But 44 Democrats flipped their votes and decided partisan loyalty to the White House mattered more than Ukraine, mattered more than stopping Russia, and just 4 weeks later, the Russian tanks rolled in. And the Senator from Colorado was one of those 44 votes who voted for Russia and Putin on the eve of the war. And if you don't believe me, go look at what Zelenskyy said in January of 2022: If you vote no, Russia will invade.

Now, I don't doubt that the Senator from Colorado today has genuine and good faith concern for the people of Ukraine. That is admirable. But understand what he is doing here. He is not doing anything related to Ukraine. He is holding the American flying public hostage. He is saying—because he is mad about what is happening on Ukraine funding—he wants to shut the FAA down. He wants to shut jobs down in the Denver airport.

And I would just urge the Senator from Colorado to listen to a very, very wise Senator from this body. And I will read a quote:

Politics. Holding up FAA extension. Costing Colorado jobs. Hashtag “FAA shutdown.”

Now the author of that tweet, that would be Senator MICHAEL BENNET. He sent that on August 4, 2011—the last time we had an FAA shutdown. And I would say that Senator BENNET, I suspect, might not recognize the Senator today, but I would urge listening to the 2011 Senator who understood shutting the FAA down is bad for Colorado; it is bad for the country. And so I would urge the Senator from Colorado, if you are unhappy about Ukraine funding, don't hold the flying public hostage.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. BENNET. I thank the Senator from Texas. Actually, it is fun to remember all this, and I am sorry I don't have a phone on my desk. Nobody can send me my prior quotes or his prior quotes. I wish I had thought to do that. But I have a pretty good memory, and the facts are on the floor. The facts are the facts.

When we were out here in 2019—and, by the way, I would never confuse the Senator from Texas with Senator SCHUMER. So let's establish that at the outset. I know you are two different people. You are very different people.

When we were out here in 2019, though, what I was talking about was, I was reminding people of the shutdown you led in 2013 while Colorado was underwater, while there were cities and towns all over our State who had been crushed by the floodwaters that had started in these unexpected storms and come rushing through these mountain valleys and ended up destroying towns and villages. It looked like bombs had gone off. The people in Colorado were digging themselves out.



There were people—local elected officials, Democrats and Republicans—who were doing the work they needed to do. And the Federal Government was shut down because of Senator CRUZ from Texas. That is what happened. Those people are owed an apology for what the Senator of Texas did.

And then he came out here in 2019 pretending that he cared about trying to resolve—by the way, it wasn't CHUCK SCHUMER's shutdown. It was Donald Trump's shutdown. He was the President. It was the longest shutdown in American history. And I don't have my phone to tell me this, but if you look it up—please do—you will find it was the Trump shutdown, not the Schumer shutdown. And it went on forever—not forever, but it was the longest shutdown ever. And Senator CRUZ was coming out here with these Potemkin pieces of legislation to sort of trick Democrats or to force Democrats into taking a bad vote on the funding of the Coast Guard while the whole rest of the Government was shut down.

He might have believed that the most important thing to do at that moment, I suppose, was to fund the Coast Guard and to leave everything else shut down. I suppose that is possible.

I suspect the likelier reason was that he was trying to create a vote that said the Democrats are for shutting the government down—or shutting the Coast Guard down, not shutting the government down. Donald Trump had shut the government down, President Trump. And that is what we were out here discussing.

So you give me the opportunity to remind everyone of the 2013 events. And I won't withdraw what I said in 2019.

I will say that I want to thank the Senator from Texas for remembering that I even had a Presidential campaign at all. It is not a well-remembered event in the history of our democracy. I am grateful that he could have played a role in trying to get me off the ground. We will have to see. But that was not the great—as I have said to people—well, I won't go on.

I will say to the Senator from Texas that when I got in, even my mom said: Do we need one more Democrat in this race, MICHAEL? So that was how I started that race.

Then, I will say, finally, that the FAA doesn't end up expiring until the 31st of this month. We have time in front of us to do the work that needs to be done.

I want to congratulate the Senator from Texas for the work that he did on the Nord Stream Pipeline. I think that was meaningful work.

I remember you standing out here at a time when a lot of other people didn't even know what you were talking about and having you stand here and make that case. So I give you that, for sure.

I would say, also, that I am sure you feel passionately that the position that you took before Putin invaded Ukraine

might have had some effect on what he did. We have a disagreement about that, but that is OK. Neither of us can change what has happened in the past. But what we can do is make sure that we recognize that this tyrant has invaded Ukraine; that this tyrant has done something that is in contravention of the civil order since World War II, since my mom was born in Poland in 1938; that the world has come together to support the free people of Ukraine in their battle; that Putin's only allies in this battle today are North Korea and Iran and sort of China, which are kind of watching how this all unfolds.

So the question before us now is not, I don't think, did we have some vote in the Senate that went one way or another—and I am sorry to the Senator from Wyoming, I will stop—went some way or another or that Democrats or that Joe Biden are somehow responsible for Vladimir Putin invading Ukraine.

First of all, that is certainly not true, even if we have disagreements about what was going on here. But what is certainly true is that Vladimir Putin invaded Ukraine. He decided to invade Ukraine. The Ukrainian people have exposed the weakness of Putin's army. They have exposed the weakness of his leadership. They have exposed the weakness of his strategy. They have exposed the strength of NATO. They have exposed the importance of American leadership. They have given us the chance to rearm the American people. They have pushed back Xi Jinping. That is not bad for 2 years of work.

And we should not go home. We should stay here and do the work we need to do to support Ukraine.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

UNANIMOUS CONSENT REQUEST—H.R. 1042

Mr. BARRASSO. Madam President, we heard a lot about Russia here. We heard a lot about enabling and empowering Vladimir Putin, empowering him financially.

I am here today to offer and support legislation that will defund Vladimir Putin; that will take a billion dollars of U.S. money out of his pocket. I am here today and rise in support of H.R. 1042. It prohibits Russian uranium imports.

For years, Russia's state-owned nuclear monopoly has dumped artificially cheap uranium into our American market. And as a result of all of this, Russia and Putin have gained a commanding share of the whole world's nuclear fuel supply chain.

Russia has driven America's nuclear fuel suppliers out of business—completely out of business—and Russia has put Americans out of work. That is what I am bringing here today because we are sending, roughly, a billion dollars a year to Russia for uranium. We need to stop that. We need to block it.

We are now at a point where the United States cannot even fuel our own

next generation of advanced nuclear reactors. If Congress doesn't step in, these advanced reactors will have no other choice than to be dependent on Russian uranium.

To make matters worse, we now know that Vladimir Putin is using Russia's nuclear monopoly—to use that money to fund this brutal invasion of Ukraine that we have just been discussing here on the Senate floor. Russia's nuclear monopoly has also helped Putin evade sanctions and provide equipment and materials to Russia's military in Ukraine.

None of this should surprise us. That is who Vladimir Putin is. He has created—created—Russia's nuclear monopoly. We shouldn't be shocked that he has turned it into his piggy bank and his toolkit for his regime.

It is time the American people in this country stop funding Russia's nuclear monopoly. We can do this, and we could do it right here today, by ending Russian imports of uranium into the United States.

Ending Russian imports would provide certainty to America's nuclear fuel suppliers—those suppliers that Russia cannot undermine again. We cannot allow that to happen. It would also ensure that we are not financing and continuing to finance Putin's war in Ukraine.

On Monday, the House of Representatives passed H.R. 1042 with unanimous support. This bill would end imports of Russian uranium within 90 days and, therefore, end this billion dollars a year of American money going to fuel Russia's war machine.

H.R. 1042 is a companion to a bipartisan bill that I have introduced along with my bipartisan cosponsor, Senator MANCHIN, as well as Senator RISCH—both of whom are on the floor right now.

The Senate Energy and Natural Resources Committee unanimously passed out our bill in May. It is a bill that we developed in collaboration with America's nuclear industry and the Department of Energy and other Agencies.

As I get ready to offer a unanimous consent request, I would yield to Senator RISCH for a brief statement.

Mr. RISCH. Thank you, Senator.

I want to join my good friend from Wyoming in this really important issue.

We are talking here today about enriched uranium, a commodity that is absolutely critical to America. Not only is it an energy security issue, it is a national security imperative.

Right now, we get about one-fifth of our enriched uranium out of Russia. What is that doing? It is doing a number of things. No. 1, it gives Russia control over the supply, but just as importantly, at the same time, it is helping finance Russia's war against Ukraine.

It is past time that we end this dependence on or even use of any kind of Russian-enriched uranium.

Congress took a tremendous step by passing the Nuclear Fuel Security Act,

which Senator BARRASSO, Senator MANCHIN, and I introduced to enhance domestic uranium conversion and enrichment capacity, which is desperately needed. Now we have to provide a pathway to enhance domestic nuclear fuel production.

We need to provide certainty both here at home and to the world that a reliance on Russian fuel is over, once and for all. This is our opportunity to do it here.

Russia is going to suffer consequences from its attack on Ukraine for generations to come. I don't think they have fully figured that out yet. But this is just a tip of the iceberg as to what is coming for them. We need to cut it off.

I strongly urge my colleagues to pass H.R. 1042, which, as the Senator from Wyoming mentioned, was unanimously passed out of the House of Representatives earlier this week. It will be a companion to the bill that we passed earlier this year.

This is a really, really good step forward and an incredibly good step forward.

With that, I will yield to Senator MANCHIN.

Mr. MANCHIN. I yield back to Senator BARRASSO.

Mr. BARRASSO. Thank you, Senators.

Madam President, as in legislative session, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 1042, which was received from the House; further, that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Mr. BROWN. I reserve the right to object.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Madam President, I agree with my colleagues Senator MANCHIN, Senator BARRASSO, and Senator RISCH. We need energy independence, whether it is West Virginia natural gas, Wyoming coal, Ohio solar, or whatever you do in Idaho.

Mr. RISCH. Uranium.

Mr. BROWN. OK. It means stopping Russian uranium imports into the United States. It means expanding our domestic enrichment capabilities. We need to do both. It is a matter of national security. It is a matter of economic security.

There are Ohioans doing important work with companies like Centrus and Oklo in Piketon in Southern Ohio. In an industry like this, they need the support to get off the ground and be successful—not far from Senator MANCHIN's home State.

If we do this right, it will mean good jobs in the energy industry in Appalachia, where union workers have powered our economy for generations.

To do that, we have to pair these policies together: stopping Russian im-

ports and—and—investing in the domestic enrichment industry and all the jobs and opportunities that come with it.

My question is—and I will then drop my objection, of course—to ensure the action we take today is successful, Senator BARRASSO and Senator MANCHIN, do I have your commitment to work together to pass real resources to strengthen our domestic supply chain?

Mr. BARRASSO. You do.

Mr. MANCHIN. Absolutely.

Mr. BROWN. Thank you.

With your leadership, we took an important step forward in the National Defense Authorization Act we passed last night. I thank Senator RISCH for his work on that. We need to finish this job.

I want to see American companies—in Ohio—enriching uranium in the United States, creating jobs, supporting communities like Piketon, Waverly, Pike County, making our energy supply more secure.

I withdraw my objection.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Madam President, I also rise to join my friend from Wyoming Senator BARRASSO and my friend from Ohio. And I know that my friend from Texas has some concerns, but it is something different.

The only thing I would say about this is, as troubled as our House colleagues are—435—they passed this unanimously, unanimous consent. They can't agree on anything. They passed this because of the need for what we are trying to do here.

What we are trying to do is build initiatives I worked to include in the Energy Act of 1020. What we are doing is operating nuclear powerplants that are dependent on Russian enrichment. We are operating our nuclear fleet based on Russian enrichment and conversion capacity, which represents half of the global capacity. We let them capture the market.

Russia is currently the world's only—I will repeat. They are the only commercial source of high-assay low-enriched uranium—or, as we refer to it, HALEU—which is the fuel needed for advanced reactors, such as the SMRs and the micros that were coming in, the new technology.

It is shameful and dangerous to our country, which led the world in developing nuclear energy—we led the world—and once was capable of producing all the fuel that we could ever need, and it has become reliant on one of the most notorious adversaries we have ever had, Russia.

Uranium production in the United States peaked in 1980. And since 1992, the majority of uranium purchased by the U.S. nuclear powerplant operators was imported mostly from Russia.

Russia has used its state-owned nuclear monopoly to help fund Putin's unlawful war against Ukraine that has completely upended energy supply

chains and harmed European and American energy security.

For years—for years now—Russia has unfairly flooded the market. We have seen that happen so many times with China in different products and Russia also with cheap uranium to undercut U.S. and other Western producers. Being the capitalist country that we are, we just basically allowed our entrepreneurial businesspersons to go buy wherever they needed. We cannot continue to reward Putin for bad behavior.

The United States cut off imports of Russian oil and gas and coal in March of 2022. We cut off all of our needed, basically, supplies that we were using and supplementing with imports of Russian oil, gas, and coal. And it is long past time to finally cut Russian uranium out of the U.S. market as well.

Senator BARRASSO, myself, Senator RISCH, all the Senators who come from the areas that are involved in this but have been producing it—Senator BROWN from Ohio, basically, has a plant that I have visited that has produced all of the uranium that we ever needed during the war efforts and has been forced out of the market. They are coming back, but they are going to need our help to get back into the market also.

We have supported a two-part strategy to fix this, pairing an increase in domestic production with a ban on Russian fuel. To accomplish the first part, we included our Nuclear Fuel Security Act in the Defense bill that we passed last night.

That law will create the programs that we need to reshore our domestic nuclear supply chains and establish a new revolving fund at the Department of Energy to be used for uranium procurement. I am proud that lawmakers in both Chambers recognized that this issue is so important to our security, and it has been included in the NDAA. And when we get back in January, Senator BARRASSO and I are going to work together to ensure that the new DOE program is appropriately funded and paid for.

So today, again, I am asking my dear friend: We have got to take the second step—banning Russian uranium imports—to provide a clear signal to our domestic market so they will basically get back into the game and start increasing the fuel they walked away from because of unfair trade practices.

This uranium ban has had strong bipartisan support, as you know, in the House and over here. Then, today, we have the opportunity to send this commonsense legislation to the President's desk and move closer to realizing our energy independence from Russia by passing this ban.

I, again, ask all of you to consider this. I ask my good friend from Texas, Senator CRUZ, if he would consider maybe other ways that we might be able to help. I am committing to you that I will help you, and I think I know what your concerns are. I am certain it

doesn't have anything to do with this, but I know what it can be, and I know where I can help you. I am offering that assistance.

The PRESIDING OFFICER. Is there objection?

The Senator from Texas.

Mr. CRUZ. Madam President, reserving the right to object, I appreciate everything that my friend from Wyoming, my friend from Idaho, and my friend from West Virginia said, and I agree with what they said. I agree with the policy goals of this bill, and I am strongly committed to curtailing Russia's ability to use nuclear energy as a geopolitical tool.

Indeed, I have repeatedly introduced sanctions targeting Rosatom activities, and I am currently working on legislation that would go even further. We should absolutely end our dependence on Russian uranium, and the United States should not be dependent on any nation for our energy—nuclear or otherwise.

I know that my friend from Wyoming shares my conviction on American energy independence, and as the ranking member of the Energy and Natural Resources Committee, he understands better than most anyone how the zealots in this administration have shackled our domestic energy producers.

And let me just say, I understand and appreciate how important this bill is to you, and I commit to work with you on this bill to get it passed into law.

But this bill is also important to the House. That was made clear by just how quickly they took it up and passed it on suspension with only a voice vote last week—even as, at the same time, the House stripped out and disregarded a number of the priorities of this Chamber which had been included in the Senate NDAA. One provision, which I worked very hard on with Senator KELLY, was to streamline permitting requirements for new semiconductor plants, and which 120 Senators and House Members—a little over a sixth of the entire Congress—had signed a letter supporting. That was one of the casualties of their casual disregard.

The House even stripped out of the bill my bill with Senator CANTWELL—the Senate version of the Informing Consumers About Smart Devices Act—despite the House having already passed their version of the bill earlier this year by a vote of 406 to 12.

Neither of these were partisan measures, and they are not wild policy changes. Instead, they are broadly bipartisan, widely supported priorities of Members of the Senate, and they have enormous impact. Unfortunately, our House colleagues—in particular, the leadership of the Energy and Commerce Committee—decided that they did not matter, and they insisted they be stripped from the bill.

Now we have come up with an important priority that they care about—and, to be clear, a policy with which I agree—asking for the blessing of the Senate.

The consequences of their stripping that legislation from the NDAA is they hurt thousands of jobs across this country. They have benefited communist China at our expense, and they have hurt our national security by making us more vulnerable to China, and they undermined the privacy of Americans across this country.

I hope and believe the House and Senate should work together cooperatively. I am eager to do so. I have extended an olive branch to the House for us to work cooperatively, but it is a two-way street. Until the House begins to take seriously the priorities of the Senate with overwhelming bipartisan support and until they change course on the Senate priorities they disregarded arbitrarily, this bill and potentially others from the chairman of this House committee will not be moving in the Senate by unanimous consent.

I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from West Virginia.

Mr. MANCHIN. Madam President, just briefly, I want to correct one thing that was said.

Because of the 117th Congress, when we all worked together, today we are producing more energy than ever in the history of the United States. We are producing 4.6 billion barrels of oil this year, 37 trillion cubic feet of gas, 13.5 billion cubic feet a day of LNG. In 2016, we didn't do anything.

So what we have done with all of the bills—the bipartisan infrastructure bill; the IRA bill, or the Inflation Reduction Act—is forced this administration to start taking seriously U.S. energy independence and security. They cannot just move them in one direction. It is a balanced approach, and it is working.

This is the part, now, that we need to shut down. We should not be relying on foreign supply chains, unreliable foreign countries of concern. You have China, you have Russia, you have North Korea, and you have Iran—four of the most notorious. To depend on anything that comes from those four countries that we need for our building blocks is a sin.

That is the only thing I am saying on the hold you have here. There are going to be other things that we can work together on to make sure that we all—I think you have them on this. I don't know if that is a No. 1 priority. They just didn't have any objection because they knew it was something that should be done. We are all for it.

You are using it because you need something else, and we are committing to help you on something else. This is desperately needed for our country. It really is. We have to center the market because, if not, they won't get invested. They just won't move. If they think Russians can dump enriched uranium, HALEU, on us, they will continue to do it, and it basically stymies the market for anyone that is invest-

ing the amount of money that needs to be invested to get our enrichment program up and running. That is really what the concerns are.

And we already have an NDAA. We would like for it—as far as the money, we are prepared to make sure that we have the necessary resources. But we can't do it unless we ban that because, if we don't ban it, people will, in this marketplace, buy wherever they can, the cheapest they possibly can. And, I guarantee, Russia needs the money for their war machine, and they will keep dumping and dumping on us.

So I would hope you would reconsider, sir. That is all I can ask. But I am committed to helping you. But this is the wrong one, I believe, to use.

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

The PRESIDING OFFICER (Mr. BOOKER). Without objection, it is so ordered.

#### ORDER OF BUSINESS

Mr. SCHUMER. Now, Mr. President, over the last few days, negotiations on a path forward to getting a national security supplemental done have made good progress. As I have said, if we believe something is important and urgent, we should stay and get the job done. That is certainly the case with the supplemental. It is important. It is urgent.

I spoke with Leader MCCONNELL this morning about the plan for next week and making sure the Senate continues to do our work.

So, for the information of all Senators, after we finish today, the Senate will return on Monday. That will give negotiators from the White House, Senate Democrats, and Senate Republicans time to work through the weekend in an effort to reach a framework agreement. It will then take some time to turn that framework into text.

To prevent unnecessary delays, I intend to move to reconsider the shell for the supplemental, as a vehicle, to move an agreement forward. The plan is for the Senate to act as soon as we are ready to move forward on the supplemental.

Members need to be here next week. We have to get this done. Our Republican colleagues who have said action on the border is so urgent should have no problem with continuing to work next week. We hope to come to an agreement. But no matter what, Members should be aware that we will vote on a supplemental proposal next week.

Mr. President, it is not easy to reach an agreement on something this complicated. This might be one of the most difficult things we have ever had to work through. But we all know that so much—so much—hangs on our success. We know the world is watching. We know autocrats like Putin and Xi are

hoping for us to fail. So we need to try, with everything we have, to get the job done.

I will update Senators when more information about schedule becomes available.

#### NOMINATION OF JERRY EDWARDS, JR.

Mr. DURBIN. Mr. President, today, the Senate will vote to confirm Jerry Edwards, Jr., to the U.S. District Court for the Western District of Louisiana.

Born in Shreveport, LA, Mr. Edwards received his B.A. from Georgia State University and his J.D. from Vermont Law and Graduate School before clerking for Judge Scott J. Crichton and Judge Jeanette G. Garrett on the First Judicial District Court of Louisiana. He then entered private practice in Shreveport, where he maintained a diverse litigation practice. In 2019, Mr. Edwards joined the U.S. Attorney's Office for the Western District of Louisiana as an assistant U.S. attorney. He defended Federal Agencies in civil cases and also handled affirmative work on behalf of Federal Agencies. In 2022, he was appointed first assistant U.S. attorney. In that role, he oversees civil litigation and the prosecution of various Federal crimes.

Mr. Edwards has significant experience in both State and Federal court, and he has tried nine cases to verdict, including two jury trials. Mr. Edwards has also been involved in a variety of legal activities outside of his legal practice. He is a member of the Louisiana Supreme Court Committee on Bar Admissions, and he previously served on the Louisiana Judiciary Commission.

Mr. Edwards enjoys the strong support of both of his home State Senators—Mr. CASSIDY and Mr. KENNEDY—as well as the Louisiana legal community. The American Bar Association unanimously rated Mr. Edwards as “well qualified” to serve on the Western District of Louisiana. If confirmed, he will be the first person of color to ever sit on the U.S. District Court for the Western District of Louisiana.

During Mr. Edwards's confirmation hearing, Senator CASSIDY noted that “Mr. Edwards's commitment to his community and bar is a personal credit to the character required to be a successful judge.” I am confident that Mr. Edwards' character, strong ties to the Western District of Louisiana, and extensive legal experience ensure that he will be a successful judge on the Federal bench. I strongly support his nomination, and I urge my colleagues to join me.

Mr. SCHUMER. I yield the floor.

#### VOTE ON EDWARDS NOMINATION

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

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Vermont (Mr. WELCH) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the Senator from North Dakota (Mr. CRAMER), the Senator from Montana (Mr. DAINES), the Senator from Nebraska (Mrs. FISCHER), the Senator from Tennessee (Mr. HAGERTY), the Senator from Mississippi (Mrs. HYDE-SMITH), the Senator from Wyoming (Ms. LUMMIS), and the Senator from Alabama (Mr. TUBERVILLE).

The result was announced—yeas 66, nays 24, as follows:

[Rollcall Vote No. 345 Ex.]

#### YEAS—66

Baldwin	Hassan	Reed
Bennet	Heinrich	Romney
Booker	Hickenlooper	Rosen
Brown	Hirono	Rounds
Butler	Kaine	Rubio
Cantwell	Kelly	Sanders
Capito	Kennedy	Schatz
Cardin	King	Schumer
Carper	Klobuchar	Shaheen
Casey	Lujan	Sinema
Cassidy	Manchin	Smith
Collins	Markey	Stabenow
Cooms	McConnell	Tester
Cornyn	Menendez	Tillis
Cortez Masto	Merkley	Van Hollen
Duckworth	Moran	Warner
Durbin	Murkowski	Warnock
Ernst	Murphy	Warren
Fetterman	Murray	Whitehouse
Gillibrand	Ossoff	Wicker
Graham	Padilla	Wyden
Grassley	Peters	Young

#### NAYS—24

Blackburn	Hawley	Ricketts
Boozman	Hoeven	Risch
Braun	Johnson	Schmitt
Britt	Lankford	Scott (FL)
Budd	Lee	Scott (SC)
Cotton	Marshall	Sullivan
Crapo	Mullin	Thune
Cruz	Paul	Vance

#### NOT VOTING—10

Barrasso	Fischer	Tuberville
Blumenthal	Hagerty	Welch
Cramer	Hyde-Smith	
Daines	Lummis	

The nomination was confirmed.

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

The majority whip.

#### EXECUTIVE CALENDAR

Mr. DURBIN. Mr. President, I ask unanimous consent to resume consideration of the Long nomination.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report the nomination.

The legislative clerk read the nomination of Brandon S. Long, of Louisiana, to be United States District Judge for the Eastern District of Louisiana.

#### NOMINATION OF BRANDON S. LONG

Mr. DURBIN. Mr. President, today, the Senate will vote to confirm Bran-

don S. Long to the U.S. District Court for the Eastern District of Louisiana.

Born in Metairie, LA, Mr. Long received his B.B.A. and B.A. from the University of Texas at Austin in 1999 and his J.D. from Duke Law School in 2005. From 2005 to 2010, Mr. Long worked in the Washington, DC, office of King & Spalding, LLP, as an associate in the special matters and government investigations practice group. While in private practice, he focused on Federal criminal matters, internal investigations, corporate compliance, and civil matters involving securities law.

Mr. Long then served as an assistant U.S. attorney in the U.S. Attorney's Office for the District of Columbia from 2010 to 2014. There, he tried approximately 27 criminal cases to verdict, of which 15 were jury trials and 12 were bench trials. Since 2014, Mr. Long has served as an AUSA in the Eastern District of Louisiana. From 2017 to 2018, he served as deputy chief of the narcotics unit. Mr. Long also served as the office's opioid coordinator from 2017 to 2020. For a brief stint from 2020 to 2021, Mr. Long served on detail as deputy chief of staff and acting chief of staff to FBI Director Christopher Wray. In 2021, he returned to the U.S. Attorney's Office for the Eastern District of Louisiana, where he serves as a member of the financial crimes unit.

The American Bar Association unanimously rated Mr. Long as “well qualified,” and his nomination is strongly supported by his home state Senators, Mr. KENNEDY and Mr. CASSIDY.

Mr. Long will serve the Eastern District of Louisiana with distinction.

I am proud to support his nomination and urge my colleagues to do the same.

#### CLOTURE MOTION WITHDRAWN

Mr. DURBIN. Mr. President, I ask unanimous consent that the cloture motion with respect to the Long nomination be withdrawn.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The cloture motion was withdrawn.

#### VOTE ON LONG NOMINATION

Mr. DURBIN. Mr. President, I know of no further debate on the nomination.

The PRESIDING OFFICER. If there is no further debate, the question is, Will the Senate advise and consent to the Long nomination?

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

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Vermont (Mr. BLUMENTHAL), the Senator from Connecticut (Mr. SANDERS), and the Senator from Vermont (Mr. WELCH) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the

Senator from West Virginia (Mrs. CAP-ITO), the Senator from North Dakota (Mr. CRAMER), the Senator from Montana (Mr. DAINES), the Senator from Nebraska (Mrs. FISCHER), the Senator from Tennessee (Mr. HAGERTY), the Senator from Mississippi (Mrs. HYDE-SMITH), the Senator from Wisconsin (Mr. JOHNSON), the Senator from Wyoming (Ms. LUMMIS), the Senator from Indiana (Mr. RISCH), and the Senator from Alabama (Mr. TUBERVILLE).

The result was announced—yeas 64, nays 22, as follows:

[Rollcall Vote No. 346 Ex.]

YEAS—64

Baldwin	Hickenlooper	Romney
Bennet	Hirono	Rosen
Booker	Kaine	Rounds
Brown	Kelly	Rubio
Butler	Kennedy	Schatz
Cantwell	King	Schumer
Cardin	Klobuchar	Shaheen
Carper	Lujan	Sinema
Casey	Manchin	Smith
Cassidy	Markey	Stabenow
Collins	McConnell	Tester
Coons	Menendez	Tillis
Cornyn	Merkley	Van Hollen
Cortez Masto	Moran	Warner
Duckworth	Mullin	Warnock
Durbin	Murkowski	Warren
Fetterman	Murphy	Whitehouse
Gillibrand	Murray	Wicker
Graham	Ossoff	Wyden
Grassley	Padilla	Young
Hassan	Peters	Reed
Heinrich	Reed	

NAYS—22

Blackburn	Ernst	Schmitt
Boozman	Hawley	Scott (FL)
Braun	Hoeven	Scott (SC)
Britt	Lankford	Sullivan
Budd	Lee	Thune
Cotton	Marshall	Vance
Crapo	Paul	
Cruz	Ricketts	

NOT VOTING—14

Barrasso	Fischer	Risch
Blumenthal	Hagerty	Sanders
Capito	Hyde-Smith	Tuberville
Cramer	Johnson	Welch
Daines	Lummiss	

The nomination was confirmed.

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

The Senator from Kansas.

UNANIMOUS CONSENT REQUEST—H.R. 1147

Mr. MARSHALL. Mr. President, today I rise to ask unanimous consent that the Senate pass H.R. 1147, the Whole Milk for Healthy Kids Act.

But before I start talking, I just want to take a quick drink of this superdelicious milk.

Here is to the dairy farmers of Kansas and across the entire country.

Now, a fun fact: Besides water, milk is the only beverage allowed here on the Senate floor. And, as you all know, milk is the most delicious, most nutritious wholesome drink known to humankind. There is nothing that has ever been made anything like it.

Now, milk is pretty special to me, and you might ask why. And it is pretty simple.

My dad grew up on a dairy, where they milked Holstein cows every morn-

ing, every day of the year, 365 days a year. And I remember, all the way through high school, my grandma still milking cows.

When your grandma milks cows, you get to have milk for breakfast, for lunch, for supper. Even in school, we got to have milk and a little snack at 10 a.m., and I was one of the lucky kids who got two cartons of milk every lunch.

And I just learned—I didn't know this. I just assumed that this is what everyone was doing—that if you didn't leave whole milk out for Santa Claus, then he wouldn't leave you presents.

Now, whole milk helps to keep growing kids and adults healthy and strong because it has 13 essential nutrients packed into one drink. And because of the fat content, specifically in whole milk, it promotes the absorption of fat-soluble vitamins A, D, E, and K.

Now, as an obstetrician, I can't stress enough the importance of drinking whole milk during pregnancy. It helps you have healthy babies. It helps with breastfeeding. It helps us all to grow strong bones.

Now, science has also shown that milk consumption provides additional positive health outcomes. It lowers blood pressure. It reduces risk of cardiovascular disease and reduces the risk of type 2 diabetes.

As medical costs skyrocket and the obesity epidemic worsens, I rise today to set the record straight: Milk is part of the solution; it is not part of the problem.

Now, many fingers have been pointed at the dairy industry, and millions of lobbying dollars have been invested in making lawmakers believe that milk is the enemy. Anti-dairy policies have resulted in decreased milk consumption and, ironically, in an increase in negative health outcomes.

In fact, the most recent "Dietary Guidelines for Americans" cites calcium, potassium, and vitamin D as three of the top four underconsumed nutrients that Americans are deficient in. Well, guess what is rich in those same nutrients? Well, of course, it is milk. All of those deficiencies can be resolved with an increase in milk consumption, and that is why I recommend at least a glass of whole milk every day.

No other food or drink has the ability to pack that kind of nutritional punch—none. But, sadly, over a decade ago, this misinformed Chamber voted to remove whole milk from our Nation's schools, and now we are facing the consequences. Because we are not encouraging our children to drink milk, we have a generation of young men and women who are going to have osteopenia and osteoporosis 10 to 15 years earlier than their predecessors.

Now, let me reiterate: Preventable diseases will occur more frequently as a consequence of a Federal Government overreaction that is based on obsolete research—research which corrects modern nutritional science and discourages healthy eating habits for children.

Today, we can right this wrong and bring back nutritious whole milk to our children's lunchtime. Let's bring back this tasty and nutritious option.

Whole milk has a litany of health benefits to offer our children. And did I mention that it tastes great? The benefits of whole milk can't be overlooked and certainly not substituted with skim milk or 1 percent, and certainly not by artificially flavored milk that is loaded with empty calories.

Bringing more healthy options back to school cafeterias is a slam dunk for American families, and delivering this to the President's desk before Christmas would help promote the consumption of healthy fats that help kids grow physically and cognitively. It supports American farmers and ranchers and promotes a brighter, stronger future for us all.

Milk—it is what is for lunch.

As if in legislative session, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 1147, which was received from the House and is at the desk; further, 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. Is there an objection?

Ms. STABENOW. Reserving the right to object, Mr. President.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, first of all, my friend and colleague, esteemed member of our Agriculture, Nutrition, and Forestry Committee is making me hungry. I am thinking about growing up with cookies and milk.

I grew up with dairy farmers in my family. So I am certainly a supporter of milk and the dairy industry, certainly in Michigan as well. And this is a really important conversation today to have and to continue to have.

I fully support healthy options for students. Dairy is a very important part of a balanced meal. But one thing is clear, and that is that school meal standards, currently based on dietary science, should continue to be based on dietary science, not based on which individual food products we support or are in our States.

USDA is in the process, right now, of updating school meal standards. It is important that the administration rely on the latest dietary science to make decisions about what is best for our children to eat and to drink. Intervening in that process creates, I think, a very unfortunate precedent and will lead to other ideas and options that may be coming forward about individual products.

So I encourage groups to be reaching out to the USDA and to engage in the process of updating meal standards. But, at this point in time, I do not believe it is in the best interest to be able to move forward on this bill. So I object to this UC request.

The PRESIDING OFFICER. The objection has been heard.

Mr. MARSHALL. Mr. President, 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. BOOKER. Mr. 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 ZACH MCCUE

Mr. BOOKER. Mr. President, I rise today for a moment of reflection about an extraordinary person, and I would like permission to give Zach McCue permission to sit next to me while I give these remarks that will most certainly embarrass him tremendously.

The PRESIDING OFFICER. Without objection.

Mr. BOOKER. Thank you very, very much, Mr. President. Thank you very much for the fist pump, Mr. President. I know that you have a lot of appreciation and love for New Jersey, so this is really a New Jersey moment. So thank you, sir.

I rise today with an extraordinary amount of joy but sadness, an extraordinary amount of pride but a sense of loss because today I get a chance to say a few words about my very embarrassed, longtime friend, member of my staff, Zach McCue.

Now, Zach has been a member of my staff my entire time in the U.S. Senate. In fact, he predated me in this office because Zach worked for my predecessor, Senator Frank Lautenberg. So he has served in this institution and has served the people of New Jersey for 12 years.

But now he is moving out to new gardens within the Garden State. Zach has a title in my office. He is the deputy State director, but the truth of the matter is, that title does little justice to the grand import and enormous impact of this incredible young man.

Zach, I believe, is one of those people who is an unsung hero, who makes Congressional work and, in so many ways, has made indelible contributions to New Jersey. If the highest calling of our country is service to it, then Zach is someone who embodies that ideal of public service and patriotism.

He has worked tirelessly. He has worked indefatigably. He has worked relentlessly in service of our State. I know he works around the clock because occasionally I disturb him at some late hours.

But the truth of the matter is, as hard as he works, he works away from the limelight, not capturing headlines, not sucking oxygen out of rooms but, in so many ways, making the difference that New Jerseyans feel.

I have seen him and how he deals with people. In a time when so many people don't feel like they are seen or appreciated, he is somebody who embodies empathy and has an extraordinary ability to connect with others,

to allow them to feel like they matter, to feel heard, and to so often have their issues addressed.

And more than just being someone who is extraordinary with people, he has a pretty incredible mind to grasp complicated policy. He is a bit of a wonk. He has a flash of the nerdiness in him. But that knowledge, that acumen, that policy expertise, he has put to work on behalf of New Jerseyans.

Now, I know that infrastructure is not the sexiest issue in America, but for New Jerseyans, it is vital. Over 700,000 people commute just to New York, and that doesn't include those who commute into Philly as well. And infrastructure in our State is critical, and this has been one of Zach's primary areas of focus. He has had extraordinary drive and focus that has helped to advance so much critical infrastructure work in our State.

And more than this, his mastery of knowledge of other issues of import to New Jerseyans, from environmental justice to social justice, has made him such a powerful force in our State and, indeed, he has made me a better U.S. Senator.

Zach is a Jersey boy. I think if there were a Mount Rushmore of New Jersey, he might be eligible to stand up upon that pantheon of some of the great Jerseyans like Bruce and Bon Jovi. He is a rock star, at least in our office, and a guy that grew up in Jersey. He grew up in Rumson, and he has raised his family with his incredibly indulgent wife Meg in Cranford.

Zach joined Lautenberg's office early, right after graduating from Penn State, which is sort of a Western Jersey college. And after 2 years with Senator Lautenberg, including a stint actually as his driver—and I hear that he was OK as a driver—Zach joined an environmental nonprofit in New Jersey focusing on environmental issues, where he worked on the issues that he still holds dear, things like protecting our coastal and marine resources and leaving behind a cleaner and healthier New Jersey environment for generations.

And then, in 2014, he joined my office and, as a new Senator, as a junior Senator, he grew with my office and helped to lead our office to being the success we are today.

He continues to lead on our team on issues he knows so well, from environmental issues so that we can make sure that we deal with the threat of climate change head-on; transportation and infrastructure, moving critical programs that, but for him, would not be seeing the kind of success we see today, like the Gateway project moving forward; and overall improvements to consumer safety and to reliability and so much more.

During the earliest and darkest days of the COVID pandemic, when our team was working overtime to help constituents in need and doing Zoom call after Zoom call, working early in the morning to late at night, I got to see Zach's

leadership in this dark time shine like a North Star.

No. 1, he helped to hold our office together amongst the strain and the challenges that were on each and every one of us. He helped us to stay focused on our purpose. He brought humor and groundedness to the work. And every day, he rose with that heroic compassion and empathy for the challenges that New Jerseyans were facing.

Look, this is an extraordinary institution, and very famous people have sat in the seats here since 1859. But the truth of this institution that doesn't get told often enough is that, for every great Senator, there are usually greater staff people who empower them in the mission.

I have served in this institution for a decade, and I say, with no false modesty but just the truth, that I have been the Senator I am today because of the leadership that Zach has brought to my team each and every day.

We have a calling here as Senators in this deliberative body, and that is to be of service, that is to rise to challenges, and that is to give dignity to the office and to be there for people.

This office has been successful over these 10 years because of Zach. I am grateful to him. I am grateful to his family who raised him. I am grateful for his spouse and his children who have supported and loved him through his service. And most of all, I know that even though New Jerseyans don't know his name up and down our State, I know that our State is profoundly grateful.

As Zach prepares to leave our office, the good news is, he may be leaving the employ of the U.S. Senate, but he is not leaving the service of our State. He is going on to another public service job.

I and my team wish him the best of luck. Once you are a part of the Booker team, you are always part of the Booker team.

But what excites me most is that Zach is a young guy with a heart full of love and a soul driven by commitment to country and to people. And so as great as his service was to us, I suspect that he still has some extraordinary great days ahead of him.

And so it is with a lot of sadness but a lot of gratitude, it is with a lot of pride but a lot of just missing him already, I say from the Senate floor into the Senate RECORD, a hearty, hearty thank-you to my friend, to my team leader, and to a great American, Zach McCue. Thank you.

No applause from the Gallery, please. That is against Senate regulation. Thank you very much.

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

The PRESIDING OFFICER (Mr. KAINE). Without objection, it is so ordered.



**MILITARY PERSONNEL CONFIRMATION RESTORATION ACT OF 2023**

Mr. SCHUMER. Mr. President, tonight, just in time for the holidays, the Senate is giving our military, our military families, a present: the justice and backpay they so richly earned and deserved. Finally, we are able to right the wrong of Senator TUBERVILLE's illogical, hurtful, and dangerous holds and the massive impacts the holds had on military families.

These men and women have worked so hard for our country for so long. And just because of Senator TUBERVILLE, in a really nasty—and whimsical, almost—holding back of their promotions, they weren't getting paid.

Well, tonight, at long last, we are giving these military families—families that have already sacrificed so much—the justice they deserve: their backpay. And it is a good night for them, and it is a good night for America. America is keeping its promise and saying to these men and women: You served us well. You don't deserve to be penalized in any way at all.

And so, Mr. President, as if in legislative session, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 3553, introduced earlier today.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 3553) to provide a retroactive effective date for the promotions of senior officers of the Armed Forces whose military promotions were delayed as a result of the suspension of Senate confirmation of such promotions.

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

Mr. SCHUMER. I ask unanimous consent that the bill be considered read three times and passed and that the motion to reconsider be considered made and laid upon the table.

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

The bill (S. 3553) was ordered to be engrossed for a third reading, was read the third time, and passed as follows:

S. 3553

*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 "Military Personnel Confirmation Restoration Act of 2023".

**SEC. 2. SENSE OF CONGRESS.**

Congress holds the men and women who defend the United States in the highest esteem.

**SEC. 3. RETROACTIVE EFFECTIVE DATE OF PROMOTIONS OF SENIOR OFFICERS OF ARMED FORCES THAT WERE DELAYED AS A RESULT OF SUSPENSION OF SENATE CONFIRMATION.**

(a) IN GENERAL.—In the case of an individual confirmed, during the period beginning on December 5, 2023, and ending on December 31, 2023, to a grade or rank in the Armed Forces associated with pay grade O-7 or higher and whose confirmation was delayed as a result of the suspension of the provision of advice and consent by the Senate to appointments to such grades and ranks that began in February 2023—

(1) the Secretary of Defense shall provide the individual, retroactive to the date described in subsection (b)—

(A) pay and allowances at the rates or in the amounts payable for the pay grade associated with the appointment of the individual; and

(B) the benefits to which an individual in the grade or rank associated with the appointment is entitled; and

(2) the date described in subsection (b) shall be the date used for determining the seniority of the individual in the grade or rank associated with the appointment.

(b) DATE DESCRIBED.—The date described in this subsection is, with respect to an individual described in subsection (a), the date that is the later of—

(1) the date that is 30 days after the date on which the nomination of the individual was placed on the Executive Calendar of the Senate; or

(2) the date on which the individual would have been appointed but for the suspension of the provision of advice and consent described in subsection (a), as determined by the Secretary concerned (as defined in section 101 of title 10, United States Code).

**EXECUTIVE CALENDAR**

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate consider the following nominations en bloc: Calendar Nos. 214, 431, and 432; that the Senate vote on the nominations en bloc without intervening action or debate; that the motions 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. Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the en bloc nominations of Lisa A. Johnson, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Lebanese Republic; Todd Gloria, of California, to be a Member of the Board of Trustees of the Harry S Truman Scholarship Foundation for a term expiring December 10, 2023; and Todd Gloria, of California, to be a Member of the Board of Trustees of the Harry S Truman Scholarship Foundation for a term expiring December 10, 2029, (Reappointment)?

The nominations were confirmed en bloc.

**UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR**

The PRESIDING OFFICER. Mr. President, I ask unanimous consent that the cloture motions filed during yesterday's session ripen at 11:30 a.m. on Tuesday, December 19.

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

**LEGISLATIVE SESSION**

**MORNING BUSINESS**

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate

proceed to legislative session and be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

**TRIBUTE TO JILL BOUDREAU**

Mrs. MURRAY. Mr. President, I rise today to honor and congratulate Mayor Jill Boudreau on her retirement after 12 years of service as mayor of Mount Vernon, WA. During that time, she has been an inspiring and impactful public servant—leading a municipal government that has been a model of efficiency, adaptability, dignity, and inclusivity. Her leadership has been a guiding light through some of the city's most difficult times, and her advocacy has helped Mount Vernon prosper over the past decade-plus.

Mayor Boudreau was sworn into office in January of 2012 and quickly launched ambitious initiatives to bolster economic development, make the city's government more open and accessible to residents, and improve public transportation. Over her three terms, she has been an indispensable voice for the region—serving on countless boards and commissions and championing voting rights, public art installations, and civic engagement. Most recently, Mayor Boudreau has been the driving force behind the Mount Vernon Library Commons, a transformative project that will be one of the largest capital investments in Skagit County history. When completed, the Commons will be one of Washington State's most energy-efficient municipal buildings and will bring a library, community center, commercial kitchen, transit center, and one of our nation's largest electric vehicle charging stations all into one facility. The Commons is the product of Mayor Boudreau's bold vision and tireless efforts. Her extraordinary leadership on the Commons and other projects has been recognized by the Association for Washington Cities, the Secretary of the Navy, and the Ambassador to Uruguay.

I had the opportunity to work most closely with Mayor Boudreau on flood protection projects along the Skagit River, and throughout those discussions, it was clear to everyone just how deeply she cared about her community. Her dedication and compassion are also evident in Mayor Boudreau's leadership during challenging and stressful times, whether it was the Skagit River Bridge collapse, the Cascade Mall shooting, or the COVID-19 pandemic. I know the citizens of Mount Vernon are as grateful as I am for her strength and hard work during these difficult moments.

One of the things I admire most about Mayor Boudreau is her weekly commitment to meeting with residents for "Coffee Hours." She has held more than 350 of these meetings during her administration, something I have heard about from her constituents during our shared time in public office.

This type of openness and accessibility to her community—and her willingness to listen and really engage with her constituents—is part of what makes Mayor Boudreau such an inspiring public servant. It has been a real privilege to work with her over the last 12 years, and I am tremendously thankful for her service to the people of Mount Vernon. I wish her the very best in future endeavors.

#### INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2024

Mr. WARNER. Mr. President, this explanation reflects the status of negotiations and disposition of issues reached between the Senate Select Committee on Intelligence and the House Permanent Select Committee on Intelligence for the Intelligence Authorization Act for Fiscal Year 2024.

The explanation shall have the same effect with respect to the implementation of this act as if it were a joint explanatory statement of a conference committee.

I ask unanimous consent that the explanatory statement for the Intelligence Authorization Act for Fiscal Year 2024 be printed into the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### EXPLANATORY STATEMENT ON THE INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2024

The following is the Explanatory Statement to accompany the Intelligence Authorization Act for Fiscal Year 2024 (“the Act”), which has been included as Division G of the National Defense Authorization Act for Fiscal Year 2024. The Explanatory Statement reflects the result of negotiations between the Senate Select Committee on Intelligence and the House Permanent Select Committee on Intelligence (together, “the Committees”). The Explanatory Statement shall have the same effect with respect to the implementation of the Act as if it were a joint explanatory statement of a conference committee.

The classified nature of U.S. intelligence activities prevents the Committees from publicly disclosing many details concerning their final decisions regarding funding levels and policy direction. Therefore, the Committees have prepared a classified annex—referred to here and within the annex itself as “the Agreement”—that contains a classified Schedule of Authorizations and that describes in detail the scope and intent of the Committees’ actions.

The Agreement authorizes the Intelligence Community to obligate and expend funds as requested in the President’s budget and as modified by the classified Schedule of Authorizations, subject to applicable reprogramming procedures.

The classified Schedule of Authorizations is incorporated into the Act pursuant to Section 7102 of the Act. It has the status of law. The Agreement supplements and adds detail to clarify the authorization levels found in the Act and in the classified Schedule of Authorizations.

This Explanatory Statement incorporates by reference, and the Executive Branch shall comply with, all direction contained in the Senate Select Committee on Intelligence Report to accompany the Intelligence Authorization Act for Fiscal Year 2024 (S. Rept. 118-

59) and in the House Permanent Select Committee on Intelligence Report to accompany the Intelligence Authorization Act for Fiscal Year 2024 (H. Rept. 118-162). The Agreement supersedes all classified direction related to programs and activities authorized by the Schedule of Authorization.

The Executive Branch is further directed as follows:

#### INSPECTOR GENERAL REVIEW OF DISSEMINATION BY FEDERAL BUREAU OF INVESTIGATION RICHMOND, VIRGINIA, FIELD OFFICE OF CERTAIN DOCUMENT

The Committees are committed to ensuring full transparency in the FBI’s actions implicating the rights of the American people to the free exercise of religion and speech. Therefore, the Committees direct that, not later than 120 days after the date of the enactment of this Act, the Inspector General of the Department of Justice shall conduct and submit to the congressional intelligence committees, the Committee on the Judiciary, Committee on Homeland Security and Governmental Affairs, and the Committee on Appropriations of the Senate, and the Committee on the Judiciary, the Committee on Oversight and Accountability, and the Committee on Appropriations of the House of Representatives, a review of the actions and events that served as a basis for the January 23, 2023, dissemination by the field office of the Federal Bureau of Investigation located in Richmond, Virginia, of a document titled “Interest of Racially or Ethnically Motivated Violent Extremists in Radical-Traditionalist Catholic Ideology Almost Certainly Presents New Mitigation Opportunities.” The review shall cover any orders or direction regarding the document from any official in any field office concerning purported proximate links between any religion, any political affiliation, or the intent of this report.

The Committees further direct that, not later than 10 days after the date of the enactment of this Act, the Director of the Federal Bureau of Investigation shall submit to the same committees identified above the unredacted August 22, 2023, Inspection Division report associated with the Richmond Domain Perspective.

#### FUNDING LIMITATIONS RELATING TO UNIDENTIFIED ANOMALOUS PHENOMENA

Section 7343 of the Act provides for funding limitations relating to unidentified anomalous phenomena because of perceptions of insufficient transparency in this area. Section 7343 is also intended to avoid technology and security stovepipes and expand awareness regarding any historical exotic technology antecedents previously provided by the Federal Government for research and development purposes if they are shown to exist.

Section 7343 further provides a limitation regarding independent research and development funding to ensure that certain indirect expenses are prohibited. That provision is intended to be interpreted consistent with Department of Defense Instruction Number 3204.01 (dated August 20, 2014, incorporating change 2, dated July 9, 2020; relating to Department policy for oversight of independent research and development), or any successor instruction.

#### SCREENING AND VETTING OF VISITORS OR ASSIGNEES FROM SENSITIVE COUNTRIES AT THE NATIONAL LABORATORIES

The Committees are concerned that the Office of Intelligence and Counterintelligence at the Department of Energy (DOE-IN) does not require the comprehensive screening and vetting of foreign visitors or assignees from the People’s Republic of China (PRC), Russia, Iran, North Korea, and Cuba who work or otherwise collaborate with scientists in

our National Laboratories. United States Government-funded research carried out at National Laboratories is incredibly important and sensitive. Whether a laboratory supports a science mission or is oriented toward supporting national security, it is critical that all foreign visitors and assignees from countries of concern receive appropriate vetting in order to mitigate counterintelligence risks. In fiscal year 2023, more than 7,000 nationals from the PRC visited 16 National Laboratories. Russian visitors numbered more than 3,700. The Committees understand that international cooperation on matters of basic, fundamental science helps maintain the United States’ technological edge. At the same time, we need to protect both the classified research as well as unclassified research that result in technologies with dual-use applications, and which can be adapted for military or economic gain, from getting into our adversaries’ hands.

The Committees therefore direct that DOE-IN require a robust effort to screen and vet visitors or assignees to our National Laboratories from the PRC, Russia, Iran, North Korea, and Cuba. The Committees also direct DOE-IN to ensure appropriate oversight over such screening and vetting to ensure that counterintelligence threat information related to potential assignees or visitors is appropriately identified and tracked. The Committees further direct that, not fewer than twice per year, the Director of DOE-IN shall submit to the Committees a report noting each instance in which a visitor or assignee from the PRC, Russia, Iran, North Korea, or Cuba, identified as a significant counterintelligence risk was permitted access to a National Laboratory.

#### BRIEFING RELATING TO CERTAIN INTELLIGENCE AND COUNTERINTELLIGENCE ACTIVITIES OF THE COAST GUARD

Section 416 of H.R. 3932 provided the Commandant of the Coast Guard with enhanced authority to obligate and expend amounts made available under the National Intelligence Program for intelligence and counterintelligence activities if the object of the activity is of a confidential, extraordinary, or emergency nature.

Therefore, the Committees direct the Commandant of the Coast Guard, no later than March 31, 2024, to brief the congressional intelligence committees, the congressional defense committees, the congressional appropriations committees, the House Committee on Transportation and Infrastructure, and the Senate Committee on Commerce, Science, and Technology on why this authority is necessary and appropriate.

#### DIRECTOR OF NATIONAL INTELLIGENCE NOTICE TO CONGRESS BEFORE ESTABLISHING NEW NATIONAL INTELLIGENCE CENTER OR ASSIGNING SIGNIFICANT NEW FUNCTION TO EXISTING CENTER

The Committees direct the Director of National Intelligence to provide reasonable notice to the congressional intelligence committees before the Director establishes a new national intelligence center or assigns a significant new function to an existing national intelligence center.

#### BRIEFING RELATING TO CONFIDENTIAL HUMAN SOURCE PROGRAM OF FEDERAL BUREAU OF INVESTIGATION

The Committees direct the Director of the Federal Bureau of Investigation, no later than March 31, 2024, to brief the congressional intelligence committees and the congressional judiciary committees on the Federal Bureau of Investigation’s management of confidential human sources, specifically pertaining to the current notification requirements and program review processes in

the event that an agent of the Federal Bureau of Investigation has reasonable grounds to believe that a confidential human source, or any immediate family member of such a source, has engaged in unauthorized criminal activity, including any misdemeanor or felony crime.

ENHANCED PERSONNEL SECURITY REVIEW WITH RESPECT TO SOCIAL MEDIA

The Committees are of the view that—

(1) A trusted national security and Intelligence Community workforce is paramount to the protection of our nation's security and to reduce the risk of unauthorized disclosures of classified and other sensitive information;

(2) the increased global availability and use of social media accounts, including by members of the national security workforce of the United States, increase the risk of unauthorized disclosures of classified national security information, which can endanger the United States and its partners and allies, and empower foreign adversaries;

(3) to maintain trust in and the protection of the national security and Intelligence Community workforce of the United States, the Intelligence Community must fully and continuously use available vetting resources and all authorities prescribed by law, while guaranteeing all constitutional protections of such workforce;

(4) the Intelligence Community must maintain high-quality vetting processes and ensure appropriate and necessary measures are taken to thoroughly and in a timely manner investigate and adjudicate prospective applicants for sensitive national security positions within the Intelligence Community; and,

(5) the Intelligence Community should use existing authorities to ensure robust continuous vetting for continued eligibility for access to classified information and carefully manage the speed and accuracy of the security clearance adjudication process at both the initial investigation process and throughout the career of personnel serving in positions within the Intelligence Community.

MATTERS PERTAINING TO UNITED STATES ECONOMIC AND EMERGING TECHNOLOGY COMPETITION WITH UNITED STATES ADVERSARIES

The Committees support the National Intelligence Strategy of 2023 goal of leveraging emerging technologies and their adoption at scale. Sections 7502 through 7506 of the Act further advance this objective, and the Committees expect the Intelligence Community to implement these provisions faithfully and expeditiously.

INTELLIGENCE COMMUNITY COUNTERINTELLIGENCE OFFICE AT THE DEPARTMENT OF AGRICULTURE

Section 7318 establishes a counterintelligence office located within the Department of Agriculture. Accordingly, the Committees direct the Director of National Intelligence to submit the report required in section 7318(f)(2) to the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committee on Agriculture of the House, at the same time that the Director submits the report to the congressional intelligence and appropriations committees.

ARMS SALES NOTIFICATION

Mr. CARDIN. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale

may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD-423.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEFENSE SECURITY COOPERATION AGENCY, Washington, DC.

Hon. BENJAMIN L. CARDIN, Chairman, Committee on Foreign Relations, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 23-86, concerning the Army's proposed Letter(s) of Offer and Acceptance to the Government of Poland for defense articles and services estimated to cost \$255 million. We will issue a news release to notify the public of this proposed sale upon delivery of this letter to your office.

Sincerely,

JAMES A. HURSCHE, Director.

Enclosures.

TRANSMITTAL NO. 23-86

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Government of Poland.

(ii) Total Estimated Value:  
Major Defense Equipment\* \$0.  
Other \$255 million.  
Total \$255 million.

Funding Source: National Funds.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE): None.

Non-MDE: Communications equipment, including AN/PRC-117G, AN/PRC-152A, AN/PRC-158, AN/PRC-160, AN/PRC-163, and AN/PRC-167 radios; Global Positioning System (GPS) receivers enabled by Selective Availability Anti-Spoofing Module (SAASM) or M-Code; support equipment; spare parts; technical manuals and publications; new equipment training; U.S. Government and contractor technical engineering, logistics, and personnel services; and other related elements of logistics and program support.

(iv) Military Department: Army (PL-B-UPEP).

(v) Prior Related Cases, if any: PL-B-UAZ, PL-B-UBM, PL-B-UBN, PL-B-UBZ, PL-B-UCA, PL-B-UCF, PL-B-UCI, PL-B-UCN, PL-B-UCR, PL-B-UCT, PL-8-UCV, PL-B-UDA, PL-B-UDC, PL-B-UDG, PL-B-UDH, PL-B-UDI, PL-B-UDK, PL-B-UDM, PL-B-UDO.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Attached Annex.

(viii) Date Report Delivered to Congress: December 13, 2023.

\*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Poland—Communications Equipment

The Government of Poland has requested to buy communications equipment, including AN/PRC-117G, AN/PRC-152A, AN/PRC-158, AN/PRC-160, AN/PRC-163, and AN/PRC-167 radios; Global Positioning System (GPS) receivers enabled by Selective Availability Anti-Spoofing Module (SAASM) or M-Code; support equipment; spare parts; technical manuals and publications; new equipment training; U.S. Government and contractor technical engineering, logistics, and personnel services; and other related elements of logistics and program support. The estimated total program cost is \$255 million.

This proposed sale will support the foreign policy goals and national security objectives of the United States by improving the security of a North Atlantic Treaty Organization (NATO) Ally that is a force for political stability and economic progress in Europe.

The proposed sale will improve Poland's communications capability and contribute to its military goal of updating capability while further enhancing interoperability with the United States and other allies. Poland will have no difficulty absorbing this equipment into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The principal contractor will L3Harris Technologies, Inc., Melbourne, FL. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will require temporary duty travel of up to five (5) U.S. Government and/or contractor representatives to travel to Poland for a short period to conduct training.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 23-86

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex Item No. vii

(vii) Sensitivity of Technology:

1. The AN/PRC-117G delivers breakthrough wideband data speed and legacy narrowband performance. Equipped with MUOS-ready hardware, this manpack is 30% smaller and 35% lighter than any other currently available. The AN/PRC-117G is also the industry's first and only tactical radio with NINE Suite B encryption, allowing for secure interoperability with the United States, NATO, and regional tactical partners.

2. The Falcon III AN/PRC-152A delivers simultaneous voice and high-speed data, seamlessly connecting dismount and upper-echelon networks. Even in challenging environments, the AN/PRC-152A provides voice, data, imagery, and video, giving warfighters critical mission intelligence for enhanced decision-making.

3. The Falcon IV AN/PRC-158 delivers dual-channel connectivity across the full 30-2500 MHz frequency range. Compact and lightweight, the MCMP provides forward-deployed warfighters with an unrivaled level of tactical communications flexibility. Equipped with a Software Communications Architecture (SCA) and a broad portfolio of narrowband and wideband waveforms, the AN/PRC-158 ensures advanced interoperability and fast in-field updates for new capabilities. The manpack's two channels and superior routing and crossbanding technologies support communications redundancy and sharing critical voice and data intelligence, surveillance, and reconnaissance (ISR) with a variety of nets and sub nets.

4. The Falcon III AN/PRC-160(V) is the smallest, lightest, and fastest Type I-certified high frequency (HF) manpack available today. Engineered for advanced security

and performance, the Wideband HF/VHF Tactical Radio System features industry-leading encryption and breakthrough data performance and interoperability.

5. The AN/PRC-163 Multi-channel Handheld Radio is a versatile, secure solution that leverages crossbanding to provide simultaneous data & voice across SATCOM, Line-of-Sight, and Mobile Ad-hoc Networking (MANET) modes. As mission needs evolve, this software-defined handheld supports fast, in-field updates to new capabilities. An external mission module hardware interface allows warfighters to quickly add options including ISR video and SATCOM.

6. The AN/PRC-167 harnesses the power of multiple tactical devices converged into a single manpack. The radio provides superior communications range extension, delivering real-time situational awareness updates up and down levels of command. Engineered to meet multi-domain challenges of any combination of ground, vehicular, and airborne missions, the manpack simultaneously and independently runs the full frequency range of a broad portfolio of waveforms on each of two channels. As mission needs evolve, this software-defined man-pack supports fast, in-field capability updates.

7. The highest level of classification of defense articles, components, and services included in this potential sale is SECRET.

8. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures that might reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.

9. A determination has been made that Poland can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

10. All defense articles and services listed in this transmittal have been authorized for release and export to Poland.

BUDGET SCOREKEEPING REPORT

Mr. WHITEHOUSE. Mr. President, I submit to the Senate a budget scorekeeping report. The report, which covers fiscal year 2024, was prepared by the Congressional Budget Office pursuant to section 308(b) of the Congressional Budget Act of 1974. This information enables the Senate Budget Committee to determine if budgetary

points of order lie against pending legislation.

CBO's report shows the effect on spending and revenues of congressional action through December 10, 2023, as compared to the levels that I filed on June 21 as authorized by section 121 of the Fiscal Responsibility Act of 2023, or FRA. Since then, Congress has passed six pieces of legislation with small effects on direct spending. These include two continuing resolutions that were eligible for adjustments to enforceable levels as permitted under the FRA.

Tables 1 and 2 show that current budgetary levels are above allowable amounts for budget authority and within allowable amounts for outlays. The government is currently operating under a bipartisan short-term continuing resolution that extends the previous year's discretionary funding levels through early 2024. The budget authority level shown in the tables is artificially high because it reflects CBO's estimate of the continuing resolution, which for technical reasons is higher than the statutory limits. Enactment of full-year appropriations for fiscal year 2024 consistent with budget agreement surrounding the FRA would bring total budget authority in line with the allowable limits. These tables also reflect that there has been no change to Social Security.

Table 3 shows the Senate's pay-as-you-go scorecard, which reflects \$44 million of net deficit reduction over 10 years.

The Democratic staff of the Budget Committee prepared an addendum table to supplement CBO's report, which compares the mandatory spending of each authorizing committee against the enforceable allocations under section 302 of the Congressional Budget Act. It shows that 15 of the 16 authorizing committees are complying with their allocations, either because no legislation with significant budgetary costs was enacted, the legislation was deficit-neutral and qualified for an allocation adjustment that was subsequently filed, or the legislation reduced spending.

I ask unanimous consent that CBO's letter, accompanying tables, and the addendum be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. CONGRESS, CONGRESSIONAL BUDGET OFFICE, Washington, DC, December 13, 2023.

Hon. SHELDON WHITEHOUSE, Chairman, Committee on the Budget, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The enclosed report shows the effects of Congressional action on the fiscal year 2024 budget and is current through December 10, 2023. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the allocations, aggregates, and other budgetary levels printed in the Congressional Record on November 29, 2023, pursuant to section 121 of the Fiscal Responsibility Act of 2023 (FRA, Public Law 118-5).

Since the enactment of the FRA, the Congress has cleared the following legislation that has significant effects on budget authority, outlays, or revenues in fiscal year 2024:

Continuing Appropriations Act, 2024 and Other Extensions Act (Public Law 118-15);

Further Continuing Appropriations and Other Extensions Act, 2024 (Public Law 118-22); and

A joint resolution providing for Congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Bureau of Consumer Financial Protection relating to "Small Business Lending Under the Equal Credit Opportunity Act (Regulation B)" (S.J. Res 32).

This is the first current level letter for fiscal year 2024.

Sincerely, PHILLIP L. SWAGEL, Director.

Enclosure.

TABLE 1.—SENATE CURRENT LEVEL REPORT FOR SPENDING AND REVENUES FOR FISCAL YEAR 2024, AS OF DECEMBER 10, 2023

Table with 4 columns: Budget Resolution, Current Level, Current Level Over/Under (-) Resolution, and values in billions of dollars.

Source: Congressional Budget Office.

TABLE 2.—SUPPORTING DETAIL FOR THE SENATE CURRENT LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2024, AS OF DECEMBER 10, 2023

Table with 4 columns: Description, Budget Authority, Outlays, and Revenues, showing detailed spending and revenue data.

TABLE 2.—SUPPORTING DETAIL FOR THE SENATE CURRENT LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2024, AS OF DECEMBER 10, 2023—

Continued
[In millions of dollars]

Table with 4 columns: Budget Authority, Outlays, Revenues. Rows include Total Current Level, Total Senate Resolution, Current Level Over Senate Resolution, Current Level Under Senate Resolution, and Memorandum: Revenues, 2024–2033.

Source: Congressional Budget Office.
n.a. = not applicable; P.L. = public law.
For purposes of enforcing section 311 of the Congressional Budget Act of 1974 (P.L. 93–344) in the Senate, the aggregate spending and revenue levels for 2024 published in the Congressional Record on June 21, 2023, by the Chair-

man of the Senate Committee on the Budget pursuant to section 121 of the Fiscal Responsibility Act of 2023 (FRA, P.L. 118–5) do not include budget authority, outlays, or revenues for off-budget amounts. As a result, amounts in this current-level report do not include those items.

In keeping with the 21st Century Cures Act (P.L. 114–255), certain funding for the Department of Health and Human Services is excluded from estimates for the purposes of both the Budget Act and the Balanced Budget and Emergency Deficit Control Act of 1985 (BBEDCA P.L. 99–177), as amended. As a result, this report excludes \$457 million in budget authority and \$770 million in outlays. Similarly, in keeping with section 14003 of the Coronavirus Aid, Relief, and Economic Security Act (P.L. 116–136, as modified by section 101 of division AA of the Consolidated Appropriations Act, 2021 (P.L. 116260)), certain funding provided to the Army Corps of Engineers is excluded from estimates for the purposes of both the Budget Act and the Deficit Control Act. As a result, this report excludes \$2,374 million in budget authority and \$2,374 million in outlays.

a Current-level amounts and allocations include budgetary effects designated as an emergency requirement in keeping with section 251 of the Deficit Control Act. However, they exclude budgetary effects designated as an emergency requirement pursuant to section 4001 of S. Con. Res. 14 (117th Congress), the concurrent resolution on the budget for fiscal year 2022. In consultation with the Senate Committee on the Budget and in keeping with section 103 of the FRA, current-level amounts and allocations also exclude amounts previously enacted and designated as an emergency requirement for 2024 for allocation enforcement under the Budget Act. Those amounts are as follows:

Table with 4 columns: Budget Authority, Outlays, Revenues. Rows include Authorizing Legislation: Fiscal Responsibility Act of 2023 (P.L. 118–5) and Appropriation Legislation: Congressional non-BBEDCA Emergencies.

b Section 121 of the FRA requires the Chair of the Senate Committee on the Budget to publish the aggregate spending and revenue levels for fiscal year 2024; those aggregate levels were first published in the Congressional Record on June 21, 2023. The Chair of the Senate Committee on the Budget has the authority to revise the budgetary aggregates for the budgetary effects of certain revenue and spending measures pursuant to the Budget Act and the FRA:

Table with 4 columns: Budget Authority, Outlays, Revenues. Rows include Original Aggregates Printed on June 21, 2023, Revisions: Published in the Congressional Record on September 12, 2023, October 24, 2023, and November 29, 2023, and Revised Senate Resolution.

TABLE 3.—SUMMARY OF THE SENATE PAY-AS-YOU-GO SCORECARD AS OF DECEMBER 10, 2023

[In millions of dollars]

Table with 4 columns: 2024, 2024–2028, 2024–2033. Rows include Beginning Balance, Enacted Legislation, Impact on Deficit, Total Change in Outlays, and Total Change in Revenues.

Source: Congressional Budget Office.
P.L. = public law; \* = between –\$500,000 and \$500,000.
a On June 21, 2023 the Chairman of the Senate Committee on the Budget reset the Senate's Pay-As-You-Go Scorecard to zero for all fiscal years.
b The amounts shown represent the estimated effect of the public laws on the deficit.
c Excludes off-budget amounts.
d Section 2401(b) requires the budgetary effects of that division to be excluded from the Senate's PAYGO scorecard; however, the revenue effects from the immigration extensions included in division A are included in the scorecard because division A does not fall within the exclusion in section 2401 of division B.
e Section 701(b) requires the budgetary effects of that division to be excluded from the Senate's PAYGO scorecard; however, the revenue effects from the immigration extensions included in division A are included in the scorecard because division A does not fall within the exclusion in section 701 of division B.

ADDENDUM: SENATE AUTHORIZING COMMITTEE SPENDING COMPARED TO ALLOCATIONS

Table with 4 columns: 2024, 2024–2028, 2024–2033. Rows include Agriculture, Nutrition, and Forestry; Armed Services; Banking, Housing, and Urban Affairs; Commerce, Science, and Transportation; Energy and Natural Resources; Environment and Public Works.

ADDENDUM: SENATE AUTHORIZING COMMITTEE SPENDING COMPARED TO ALLOCATIONS—Continued

Table with 4 columns: 2024, 2024–2028, 2024–2033. Rows include Finance; Foreign Relations; Health, Education, Labor, and Pensions; Homeland Security and Governmental Affairs; Indian Affairs; Intelligence.

ADDENDUM: SENATE AUTHORIZING COMMITTEE SPENDING COMPARED TO ALLOCATIONS—Continued

Table with 4 columns: 2024, 2024–2028, 2024–2033. Rows include Judiciary; Rules and Administration; Small Business and Entrepreneurship; Veterans' Affairs.

ADDENDUM: SENATE AUTHORIZING COMMITTEE SPENDING  
COMPARED TO ALLOCATIONS—Continued

(\$ in millions; positive numbers represent spending above enforceable limits)

	2024	2024–2028	2024–2033
Outlays .....	0	1	-1
Memo—all committees, total over allocation:			
Budget Authority .....	-2	-20	-44
Outlays .....	-2	-20	-44

## TRIBUTE TO MAJOR NICK OLTMAN

Mr. KING. Mr. President, today I wish to recognize Maj. Nick Oltman, U.S. Marine Corps, for his outstanding work on behalf of the people of Maine and the Nation as a 2023 Department of Defense legislative fellow serving in my Washington, DC, office. Over the past year, Nick has been integral in shaping my foreign policy and defense priorities. He helped secure several provisions in the fiscal year 2024 National Defense Authorization Act—FY24 NDAA—that will make our country stronger and safer. Nick led my staff in orchestrating important appropriations for the Department of Defense, Department of State, Department of Homeland Security, U.S. Coast Guard, and the Office of National Drug Control Policy. His contributions to office morale and our collective work product are emblematic of his good character, competence, and strong work ethic.

Throughout his tenure in my Office, Nick demonstrated a level of professionalism and hard work I have come to expect—but not take for granted—from Department of Defense legislative fellows. Indeed, he follows a long line of accomplished military officers who have made impactful contributions to my office and U.S. national security policy. Over the year, Nick prepared and advised me on wide-ranging and complex matters under consideration before the Senate Armed Services Committee. His attention to detail served me well; Nick managed over 400 individual authorization and appropriation requests, 455 markup amendments, and over 900 floor amendments. He brought his cybersecurity and budget expertise to assist me in the Strategic Forces Subcommittee briefings and deliberations, which resulted in important funding authorizations and legislation. He authored and shepherded a provision in the final act that establishes an artificial intelligence watermark competition across the private sector and Federal Government. Nick's outstanding leadership showed in his work with constituents and while securing legislation to address changes to basic allowance for housing and oversight of the transition assistance program.

Further, he authored sections of legislative text and report language, including one of my top concerns regarding hypersonic defense and securing important funding for advanced research impacting Maine from Aroostook to York County. In addition, he became my go-to lead for monitoring

the horrific wars in Ukraine and Israel, providing clear-headed and thoughtful analysis, and liaised with representatives from the White House, State Department, and Department of Defense to convey my positions and concerns. His candor and honest assessments provided critical insights during this fraught time in U.S. history, and our Nation is better because of it.

On behalf of my colleagues in the U.S. Congress, I extend my deepest gratitude to Major Oltman for his unwavering dedication to my staff, the State of Maine, the U.S. Marine Corps, and our Nation. The greatness of the U.S. military is built on the service and sacrifice of servicemembers like Major Oltman. His commitment is not a solitary endeavor, and I want to acknowledge the support of his family: his wife Meghan and his son Sean. I wish them all the best as they embark on what I am certain is a bright future.

## ADDITIONAL STATEMENTS

REMEMBERING HARVEY JAMES  
MUNFORD

• Ms. CORTEZ MASTO. Mr. President, today I rise to recognize the life of Harvey James Munford, an exemplary Nevadan that served his State as an educator and coach for 36 years and as an elected State assemblyman for over a decade. Mr. Munford peacefully passed away at the age of 83 on October 26, 2023, at his Las Vegas, NV, home.

Mr. Munford led a remarkable life with many professional and personal achievements. As the first African American to attend Montana State University Billings, Mr. Munford showed exceptional courage while paving the way for other African Americans to follow in his footsteps. Mr. Munford attended college on a basketball scholarship, but he never neglected his studies and earned a bachelor's degree in biology and physical education. He went on to earn a master's degree in political science and guidance and counseling, also at MSU Billings. In 1994, Mr. Munford was honored with an induction into the MSU Billings Athletic Hall of Fame.

Mr. Munford's athletic talent extended far beyond college, as he played professional basketball for the Los Angeles Lakers and was drafted for professional football by the Los Angeles Rams. However, Mr. Munford's passion for education caused him to relocate to Las Vegas, where he served as an educator for the Clark County School District, College of Southern Nevada, and University of Nevada, Las Vegas. During his decades-long career in the Clark County School District, Mr. Munford had the opportunity to accompany over 200 students to Washington, DC, to explore the Nation's Capital and experience firsthand how the Federal Government works.

After officially retiring as an educator, Mr. Munford became a public serv-

ant and was an elected State assemblyman for Clark County District 6, where he served from 2004 to 2016. During his time as a legislator, Mr. Munford was a passionate civil rights and education advocate. He helped pass numerous bills, including multicultural education and the passage of Juneteenth as an official holiday in the State of Nevada. It is evident Mr. Munford's work in the State assembly was guided by his desire to have a positive lasting impact on the lives of all Nevadans.

Beyond Mr. Munford's extensive professional achievements, he was a dedicated family man. Mr. Munford was married to his wife Viviana for 29 years and had five children and stepchildren, in addition to 12 grandchildren and one great-grandchild. Mr. Munford was also a talented organist and equine trainer, and he enjoyed watching old Western movies, historical documentaries, and sports.

Mr. Munford was a husband, father, grandfather, educator, civil servant, civil rights activist, athlete, and Nevadan. Mr. Munford left a positive lasting impact on the lives of many Nevadans, and I ask my colleagues to join me in remembering Mr. Munford for his significant impact in the State. I celebrate Mr. Munford's legacy, and I extend my deepest condolences to his family and friends.●

## TRIBUTE TO JAMES M. COOPER

• Mr. YOUNG. Mr. President, I rise today to honor the service of Mr. JAMES M. Cooper to Indiana's State banking system and in recognition of his retirement from the Conference of State Bank Supervisors, or CSBS. Jim has been an essential member of the CSBS team for over 10 years, first leading the CSBS policy and supervision team and, for the past 18 months, serving as president and chief executive officer of CSBS, bringing direction, leadership, and compassion after the sudden death of former CSBS president and chief executive officer John W. Ryan.

During his tenure, Jim helped to advance the State system's strategy for strengthening and streamlining State regulation, known as Networked Supervision, and provided stability during a time of stress for the banking system. Jim brought innovation to State supervision and CSBS's core mission, particularly advancing data and analytics for the State system.

In Jim's 40-year career, he proved himself to be a dedicated public servant to the State of Indiana. After graduating from Hanover College in Hanover, IN, he had a distinguished 30-year career at the Indiana Department of Financial Institutions, where he served as deputy director from 1994 to 2013. In that role, he oversaw the supervision and examination of all State-chartered depository institutions in Indiana, including banks, credit unions, corporate fiduciaries, savings banks, and savings associations.



Throughout his career, Jim has worked diligently to ensure a safe and sound financial services environment, including during the most tumultuous times in our economy. During the great recession and the more recent 2023 bank closures, Jim showed his steadfast ability to manage a difficult situation and minimize the effects of disruption within the industry.

I know Jim will be missed by CSBS and the entire State banking system, and I wish him the best in his retirement.●

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Kelly, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

In executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the Committee on Armed Services.

(The messages received today are printed at the end of the Senate proceedings.)

#### MESSAGES FROM THE HOUSE

At 11:32 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 1147. An act to amend the Richard B. Russell National School Lunch Act to allow schools that participate in the school lunch program under such Act to serve whole milk.

The message further announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2670) to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense and for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

#### ENROLLED BILL SIGNED

At 1:33 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 2670. An act to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense and for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

The enrolled bill was subsequently signed by the President pro tempore (Mrs. MURRAY).

At 4:01 p.m., a message from the House of Representatives, delivered by

Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 2365. An act to direct the Secretary of Health and Human Services to carry out a national project to prevent, diagnose, treat, and cure Parkinson's, to be known as the National Parkinson's Project, and for other purposes.

The message also announced that pursuant to 20 U.S.C. 4303, and the order of the House of January 9, 2023, the Speaker appoints the following Members on the part of the House of Representatives to the Board of Trustees of Gallaudet University: Mr. Bucshon of Indiana, and Ms. McCollum of Minnesota.

The message further announced that pursuant to section 2406(b)(3) of Public Law 116-9, and the order of the House of January 9, 2023, the Speaker appoints the following Members on the part of the House of Representatives to the Adams Memorial Commission: Mr. Griffith of Virginia, Mr. Moolenaar of Michigan, Mr. Lynch of Massachusetts, and Mr. Connolly of Virginia.

The message also announced that pursuant to section 313 of the Legislative Branch Appropriations Act, 2001 (2 U.S.C. 1151), as amended by section 1601 of Public Law 111-68, and the order of the House of January 9, 2023, the Speaker appoints the following Member on the part of the House of Representatives to the Board of Trustees of the Open World Leadership Center: Mr. Bacon of Nebraska.

The message further announced that pursuant to 22 U.S.C. 1928a, and the order of the House of January 9, 2023, the Speaker appoints the following Member on the part of the House of Representatives to the United States Group of the NATO Parliamentary Assembly: Mr. Norcross of New Jersey.

The message also announced that pursuant to section 4703(b) of the Barry Goldwater Scholarship and Excellence in Education Act (20 U.S.C. 4703), the Majority Leader appoints the following Member of the House of Representatives to the Board of Trustees of the Barry Goldwater Scholarship and Excellence in Education Foundation: Mr. Glenn Grothman of Wisconsin.

The message further announced that pursuant to 20 U.S.C. 4412, and the order of the House of January 9, 2023, the Speaker appoints the following Members on the part of the House of Representatives to the Board of Trustees of the Institute of American Indian and Alaska Native Culture and Arts Development: Mr. Cole of Oklahoma and Ms. Leger Fernandez of New Mexico.

#### MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 2365. An act to direct the Secretary of Health and Human Services to carry out a national project to prevent, diagnose, treat,

and cure Parkinson's, to be known as the National Parkinson's Project, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

#### MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 1147. An act to amend the Richard B. Russell National School Lunch Act to allow schools that participate in the school lunch program under such Act to serve whole milk.

#### ENROLLED JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on today, December 14, 2023, she had presented to the President of the United States the following enrolled joint resolution:

S.J. Res. 32. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Bureau of Consumer Financial Protection relating to "Small Business Lending Under the Equal Credit Opportunity Act (Regulation B)".

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. VANCE:

S. 3514. A bill to amend the Internal Revenue Code of 1986 to increase the excise tax on net investment income of certain private colleges and universities; to the Committee on Finance.

By Mr. CRAPO (for himself and Mr. RISCH):

S. 3515. A bill to improve communication between the United States Postal Service and local communities relating to the relocation and establishment of Postal Service retail service facilities, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. VANCE:

S. 3516. A bill to impose a fee on certain remittance transfers to fund border security; to the Committee on Finance.

By Mr. WYDEN (for himself and Mr. MERKLEY):

S. 3517. A bill to amend the Help America Vote Act of 2002 to ensure that voters in elections for Federal office do not wait in long lines in order to vote, and for other purposes; to the Committee on Rules and Administration.

By Mr. BOOKER:

S. 3518. A bill to authorize the Secretary of Labor, in consultation with the Secretary of Education, to make grants to eligible entities to assist certain individuals in reentering a secondary school or a high school equivalency program, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MANCHIN (for himself and Mr. BRAUN):

S. 3519. A bill to direct the Secretary of Health and Human Services to issue guidance on whether hospital emergency departments should implement fentanyl testing as a routine procedure for patients experiencing an overdose, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LEE (for himself and Mr. SCOTT of South Carolina):

S. 3520. A bill to amend the Internal Revenue Code of 1986 to provide incentives for education; to the Committee on Finance.

By Ms. CORTEZ MASTO (for herself and Mr. MULLIN):

S. 3521. A bill to amend the Internal Revenue Code of 1986 to establish a credit for the domestic production of rare earth magnets, and for other purposes; to the Committee on Finance.

By Mr. GRASSLEY (for himself, Mr. LUJAN, Mr. TILLIS, Ms. HASSAN, and Mr. CASSIDY):

S. 3522. A bill to require the Attorney General to develop reports relating to violent attacks against law enforcement officers, and for other purposes; to the Committee on the Judiciary.

By Ms. ERNST (for herself, Mr. TESTER, and Mr. BRAUN):

S. 3523. A bill to end unemployment payments to jobless millionaires; to the Committee on Finance.

By Mr. MANCHIN (for himself and Mr. BRAUN):

S. 3524. A bill to establish an interactive online dashboard to improve public access to information about student loan forgiveness programs, repayment programs, and repayment plans; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CASEY (for himself and Mr. BROWN):

S. 3525. A bill to require the Secretary of Health and Human Services to maintain a peer-to-peer support line to provide emotional support, information, brief intervention, and mental health resources to youth who are experiencing stress or who are at risk of, or affected by, mental health disorders, and to establish a grant program for local educational agencies to employ school-based mental health coordinators; to the Committee on Health, Education, Labor, and Pensions.

By Ms. ROSEN (for herself and Ms. MURKOWSKI):

S. 3526. A bill to amend title 38, United States Code, to require a lactation space in each medical center of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. SCOTT of Florida (for himself and Mr. MANCHIN):

S. 3527. A bill to prohibit the Secretary of the Treasury from engaging in transactions involving the exchange of Special Drawing Rights issued by the International Monetary Fund that are held by the Islamic Republic of Iran, and for other purposes; to the Committee on Foreign Relations.

By Mrs. SHAHEEN (for herself and Mr. BRAUN):

S. 3528. A bill to amend the Small Business Act to establish the position of Coordinator for Disabled Small Business Concerns within the Office of Diversity, Inclusion and Civil Rights of the Small Business Administration, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. BRAUN (for himself, Mr. BARASSO, Mr. CRAMER, Mr. CRAPO, Mr. DAINES, Mr. HAWLEY, Mrs. HYDE-SMITH, Mr. LANKFORD, Ms. LUMMIS, Mr. MARSHALL, Mr. RISCH, Mr. SCOTT of Florida, Mr. LEE, Mr. HOEVEN, and Mr. MULLIN):

S. 3529. A bill to provide procedures for appealing certain Bureau of Alcohol, Tobacco, Firearms, and Explosives rulings or determinations, and for other purposes; to the Committee on the Judiciary.

By Ms. MURKOWSKI (for herself, Mr. MORAN, Ms. DUCKWORTH, and Ms. ROSEN):

S. 3530. A bill to retain Federal employees who are spouses of a member of the Armed Forces or the Foreign Service when relocating due to an involuntary transfer, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. LEE (for himself, Mr. BRAUN, Mr. COTTON, Mr. DAINES, Ms. LUMMIS, Mr. SCOTT of Florida, and Mr. THUNE):

S. 3531. A bill to prohibit actions to carry out the Department of Commerce's pause in the issuance of new export licenses for certain exports under the Commerce Control List; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. CASEY (for himself, Mr. BROWN, and Mr. BOOKER):

S. 3532. A bill to amend the Public Health Service Act to provide for the establishment of a Task Force on Youth Mental Health Data Integration; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KENNEDY:

S. 3533. A bill to appropriate, with an offset, \$36,000,000 for the Seafood Import Monitoring Program of the National Oceanic and Atmospheric Administration to increase audits of imported shrimp and red snapper; to the Committee on Finance.

By Mrs. GILLIBRAND:

S. 3534. A bill to authorize the Pines Foundation to establish the Fire Island AIDS Memorial, and for other purposes; to the Committee on Energy and Natural Resources.

By Mrs. SHAHEEN (for herself and Ms. MURKOWSKI):

S. 3535. A bill to support empowerment, economic security, and educational opportunities for adolescent girls around the world, and for other purposes; to the Committee on Foreign Relations.

By Mr. BRAUN:

S. 3536. A bill to amend the Individuals with Disabilities Education Act to require notification with respect to individualized education program teams, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BRAUN (for himself and Mr. BROWN):

S. 3537. A bill to require the Secretary of Education to disclose information about career and technical education and funding under the Carl D. Perkins Career and Technical Education Act of 2006, and require FAFSA applications to include a career and technical education acknowledgment; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BROWN (for himself, Mr. KENNEDY, Mr. CASEY, Mr. VAN HOLLEN, Mr. BRAUN, and Mr. WICKER):

S. 3538. A bill to address applications for deposit insurance submitted by industrial banks to the Federal Deposit Insurance Corporation, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. OSSOFF:

S. 3539. A bill to amend the Infrastructure Investment and Jobs Act to remove the exclusion of certain small business concerns from the disadvantaged business enterprise program, and for other purposes; to the Committee on Environment and Public Works.

By Mrs. BLACKBURN (for herself and Ms. DUCKWORTH):

S. 3540. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to increase grants to combat domestic violence for States that implement domestic violence prevention training in the cosmetologist and barber licensing process, and for other purposes; to the Committee on the Judiciary.

By Mr. MORAN (for himself, Mr. MANCHIN, Mr. HAGERTY, and Mr. TILLIS):

S. 3541. A bill to amend the Federal Financial Institutions Examination Council Act of 1978 to improve the examination of depository institutions, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. CASSIDY (for himself and Mr. KENNEDY):

S. 3542. A bill to amend the Atchafalaya National Heritage Area Act to modify the boundary of the Atchafalaya National Heritage Area, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. LANKFORD (for himself and Mr. BOOKER):

S. 3543. A bill to establish the Historic Greenwood District-Black Wall Street National Monument in the State of Oklahoma, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. CARDIN (for himself and Mr. VAN HOLLEN):

S. 3544. A bill to designate the visitor and education center at Fort McHenry National Monument and Historic Shrine as the "Paul S. Sarbanes Visitor and Education Center"; to the Committee on Energy and Natural Resources.

By Mr. KAINE (for himself, Mr. MURPHY, and Ms. SMITH):

S. 3545. A bill to amend the Public Health Service Act with respect to public health data accessibility, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CORNYN (for himself, Ms. HASSAN, Mr. BENNET, and Mr. TILLIS):

S. 3546. A bill to require a study on the quality of care difference between mental health and addiction therapy care provided by health care providers of the Department of Veterans Affairs compared to non-Department providers, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. ERNST (for herself, Ms. HIRONO, Mr. KAINE, Mr. RUBIO, and Mr. VAN HOLLEN):

S. 3547. A bill to require the United States Government to assist in the establishment of national security councils in specified countries; to the Committee on Foreign Relations.

By Mr. BRAUN (for himself, Mr. SANDERS, Ms. SMITH, and Mr. HICKENLOOPER):

S. 3548. A bill to amend the Public Health Service Act to provide for hospital and insurer price transparency; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REED (for himself, Mr. MERKLEY, Mr. BROWN, Ms. SMITH, Mr. BLUMENTHAL, Ms. STABENOW, Mr. WARNOCK, Mr. WHITEHOUSE, Mr. SCHATZ, Mr. WYDEN, Mr. BOOKER, Mr. LUJAN, Mr. FETTERMAN, Mr. WELCH, Mr. PADILLA, and Ms. BUTLER):

S. 3549. A bill to amend the Truth in Lending Act to extend the consumer credit protections provided to members of the Armed Forces and their dependents under title 10, United States Code, to all consumers; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BENNET (for himself and Ms. COLLINS):

S. 3550. A bill to clarify training requirements for prescribers of controlled substances; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WICKER (for himself and Ms. KLOBUCHAR):

S. 3551. A bill to modify the Intercountry Adoption Act of 2000 to provide a limited accreditation option for performing certain adoption services; to the Committee on Foreign Relations.

By Mr. KENNEDY:

S. 3552. A bill to amend the Taxpayer Certainty and Disaster Tax Relief Act of 2020 to allow qualified tax-exempt organizations to claim the employee retention credit for employers affected by qualified disasters against Medicare hospital insurance taxes; to the Committee on Finance.

By Mr. ROUNDS (for himself, Mr. MANCHIN, Mr. KING, Ms. ERNST, Mr. TUBERVILLE, Mrs. GILLIBRAND, Mr. BLUMENTHAL, Mr. KAINE, Mr. BUDD, Mrs. SHAHEEN, Mr. RICKETTS, Ms. COLLINS, Mr. GRAHAM, Mr. BARRASSO, Mrs. CAPITO, Mr. GRASSLEY, Mr. LANKFORD, Ms. LUMMIS, Mr. SCHMITT, Mr. LEE, Mr. ROMNEY, Mr. HOEVEN, Mr. COTTON, Mr. BOOZMAN, Ms. MURKOWSKI, Mr. TILLIS, Mr. SULLIVAN, Mr. DAINES, Mrs. BRITT, Mr. KENNEDY, Mr. SCOTT of Florida, Mr. PADILLA, Mrs. FISCHER, Mr. BROWN, Ms. ROSEN, Mr. VAN HOLLEN, Mr. FETTERMAN, Ms. CORTEZ MASTO, Mr. CORNYN, Ms. KLOBUCHAR, Ms. SINEMA, Ms. SMITH, Mr. WARNER, Mr. MENENDEZ, Mr. OSSOFF, Mr. HEINRICH, Ms. BALDWIN, Mr. CRAMER, Mr. WARNOCK, Mr. KELLY, Mr. WHITEHOUSE, Mr. SCHATZ, and Mr. MERKLEY):

S. 3553. A bill to provide a retroactive effective date for the promotions of senior officers of the Armed Forces whose military promotions were delayed as a result of the suspension of Senate confirmation of such promotions; considered and passed.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. SCOTT of Florida (for himself and Mr. RUBIO):

S. Res. 503. A resolution congratulating the Florida State University Seminoles for winning the 2023 Atlantic Coast Conference Football Championship; to the Committee on Commerce, Science, and Transportation.

By Mr. SANDERS:

S. Res. 504. A resolution requesting information on Israel's human rights practices pursuant to section 502B(c) of the Foreign Assistance Act of 1961; to the Committee on Foreign Relations.

By Mrs. SHAHEEN (for herself, Mrs. BRITT, Mrs. GILLIBRAND, Mrs. FISCHER, Mr. FETTERMAN, Ms. COLLINS, Mr. CASEY, Mr. WARNOCK, Mr. OSSOFF, Mr. KING, Ms. HIRONO, Mr. VAN HOLLEN, Ms. DUCKWORTH, Mr. WYDEN, Mr. MURPHY, Mr. WHITEHOUSE, Mr. KAINE, Ms. CORTEZ MASTO, Mr. WARNER, Ms. ROSEN, Ms. HASSAN, Mr. BENNET, and Mr. PETERS):

S. Res. 505. A resolution condemning the use of sexual violence and rape as a weapon of war by the terrorist group Hamas against the people of Israel; to the Committee on Foreign Relations.

By Ms. HIRONO (for herself, Ms. DUCKWORTH, Mr. SCHATZ, Mrs. MURRAY, Mr. PADILLA, Ms. BUTLER, Mr. VAN HOLLEN, Mr. WELCH, Mr. WYDEN, Mr. MARKEY, Mr. DURBIN, and Mr. CASEY):

S. Res. 506. A resolution commemorating the 80th anniversary of the repeal of the Chinese Exclusion Act of 1882; to the Committee on the Judiciary.

By Mrs. HYDE-SMITH (for herself, Mr. MURPHY, Mrs. CAPITO, and Ms. STABENOW):

S. Res. 507. A resolution designating September 25, 2023, as "National Ataxia Aware-

ness Day", and raising awareness of ataxia, ataxia research, and the search for a cure; considered and agreed to.

By Mr. BRAUN:

S. Res. 508. A resolution recognizing Inter-scholastic Athletic Administrators' Day on December 14, 2023; considered and agreed to.

By Mr. BENNET (for himself and Mr. HICKENLOOPER):

S. Res. 509. A resolution recognizing the first commemoration of the anti-LGBTQ+ attack that occurred on November 19-20, 2022, at Club Q, an LGBTQ+ bar in Colorado Springs, Colorado; considered and agreed to.

By Ms. WARREN (for herself, Ms. BALDWIN, Mr. BLUMENTHAL, Mr. SCHUMER, Mr. HEINRICH, Mr. MERKLEY, Mr. PADILLA, Ms. HIRONO, Mr. BROWN, Mr. HICKENLOOPER, Ms. STABENOW, Mr. BENNET, Ms. DUCKWORTH, Ms. CANTWELL, Mrs. SHAHEEN, Mr. VAN HOLLEN, Mr. KING, Mr. WYDEN, Mr. FETTERMAN, Ms. BUTLER, Mr. REED, Mr. CARPER, Ms. CORTEZ MASTO, Mr. WELCH, Ms. ROSEN, Mr. MURPHY, Ms. SINEMA, Mr. SANDERS, Mr. MENENDEZ, Mrs. GILLIBRAND, Ms. SMITH, Mr. SCHATZ, Mr. KELLY, Mr. MARKEY, Ms. HASSAN, Mr. WHITEHOUSE, Mr. WARNOCK, Mr. DURBIN, Mr. BOOKER, and Ms. KLOBUCHAR):

S. Res. 510. A resolution expressing the sense of the Senate that the scientific judgment of the Food and Drug Administration that mifepristone is safe and effective should be respected, and law and policy governing access to lifesaving, time-sensitive medication abortion care in the United States should be equitable and based on science; to the Committee on Health, Education, Labor, and Pensions.

#### ADDITIONAL COSPONSORS

S. 134

At the request of Ms. COLLINS, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 134, a bill to require an annual budget estimate for the initiatives of the National Institutes of Health pursuant to reports and recommendations made under the National Alzheimer's Project Act.

S. 204

At the request of Mr. THUNE, the names of the Senator from Kentucky (Mr. MCCONNELL) and the Senator from North Dakota (Mr. CRAMER) were added as cosponsors of S. 204, a bill to amend title 18, United States Code, to prohibit a health care practitioner from failing to exercise the proper degree of care in the case of a child who survives an abortion or attempted abortion.

S. 610

At the request of Ms. SINEMA, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 610, a bill to amend the Federal Credit Union Act to modify the frequency of board of directors meetings, and for other purposes.

S. 759

At the request of Mr. WARNOCK, the name of the Senator from Nebraska (Mr. RICKETTS) was added as a cosponsor of S. 759, a bill to authorize the National Detector Dog Training Center, and for other purposes.

S. 766

At the request of Mr. SANDERS, the name of the Senator from California (Ms. BUTLER) was added as a cosponsor of S. 766, a bill to ensure that teachers are paid a livable and competitive salary throughout their career, and for other purposes.

S. 1031

At the request of Ms. DUCKWORTH, the name of the Senator from California (Ms. BUTLER) was added as a cosponsor of S. 1031, a bill to ensure affordable abortion coverage and care for every person, and for other purposes.

S. 1064

At the request of Mrs. CAPITO, the names of the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Montana (Mr. DAINES), the Senator from Michigan (Ms. STABENOW) and the Senator from Idaho (Mr. RISCH) were added as cosponsors of S. 1064, a bill to direct the Secretary of Health and Human Services to carry out a national project to prevent and cure Parkinson's, to be known as the National Parkinson's Project, and for other purposes.

S. 1113

At the request of Mr. BROWN, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 1113, a bill to amend the Public Health Service Act to establish direct care registered nurse-to-patient staffing ratio requirements in hospitals, and for other purposes.

S. 1200

At the request of Mrs. BLACKBURN, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. 1200, a bill to establish a Federal grant program to combat the smuggling and trafficking of children and young women.

S. 1351

At the request of Mr. MERKLEY, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 1351, a bill to study and prevent child abuse in youth residential programs, and for other purposes.

S. 1474

At the request of Mr. MARSHALL, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 1474, a bill to amend the Food and Nutrition Act of 2008 to establish a dairy nutrition incentive program, and for other purposes.

S. 1514

At the request of Mr. RUBIO, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. 1514, a bill to amend the National Housing Act to establish a mortgage insurance program for first responders, and for other purposes.

S. 1560

At the request of Mr. HAWLEY, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. 1560, a bill to require the development of a comprehensive rural hospital cybersecurity workforce development strategy, and for other purposes.

S. 1944

At the request of Mrs. BLACKBURN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1944, a bill to exempt grants received under the Coronavirus Economic Relief for Transportation Services (CERTS) Act from Federal taxation.

S. 1957

At the request of Mr. MARSHALL, the name of the Senator from Ohio (Mr. VANCE) was added as a cosponsor of S. 1957, a bill to amend the Richard B. Russell National School Lunch Act to allow schools that participate in the school lunch program to serve whole milk, and for other purposes.

S. 2227

At the request of Mr. CORNYN, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. 2227, a bill to require the Comptroller General of the United States to carry out a study on the trafficking into the United States of synthetic drugs, and related illicit finance, and for other purposes.

S. 2327

At the request of Mrs. KLOBUCHAR, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 2327, a bill to provide support for nationals of Afghanistan who supported the United States mission in Afghanistan, adequate vetting for parolees from Afghanistan, adjustment of status for eligible individuals, and special immigrant status for at-risk Afghan allies and relatives of certain members of the Armed Forces, and for other purposes.

S. 2415

At the request of Mrs. CAPITO, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. 2415, a bill to amend title III of the Public Health Service Act to reauthorize Federal support of States in their work to save and sustain the health of mothers during pregnancy, childbirth, and the postpartum period, to eliminate disparities in maternal health outcomes for pregnancy-related and pregnancy-associated deaths, to identify solutions to improve health care quality and health outcomes for mothers, and for other purposes.

S. 2477

At the request of Mr. THUNE, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 2477, a bill to amend title XVIII of the Social Security Act to provide pharmacy payment of certain services.

S. 2555

At the request of Mr. BROWN, his name was added as a cosponsor of S. 2555, a bill to amend the Animal Welfare Act to expand and improve the enforcement capabilities of the Attorney General, and for other purposes.

S. 2592

At the request of Mr. FETTERMAN, the name of the Senator from California (Ms. BUTLER) was added as a cosponsor

of S. 2592, a bill to amend the Fair Credit Reporting Act to require nationwide consumer reporting agencies, upon request, to use the current legal name of a consumer on consumer reports, and for other purposes.

S. 2757

At the request of Mr. TESTER, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 2757, a bill to limit the Secretary of Veterans Affairs from modifying the rate of payment or reimbursement for transportation of veterans or other individuals via special modes of transportation under the laws administered by the Secretary, and for other purposes.

S. 2824

At the request of Mr. CRUZ, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 2824, a bill to secure the borders of the United States, and for other purposes.

S. 2825

At the request of Mr. CORNYN, the names of the Senator from New York (Mrs. GILLIBRAND) and the Senator from Maine (Mr. KING) were added as cosponsors of S. 2825, a bill to award a Congressional Gold Medal to the United States Army Dustoff crews of the Vietnam War, collectively, in recognition of their extraordinary heroism and life-saving actions in Vietnam.

S. 2849

At the request of Mr. CASEY, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 2849, a bill to amend the Higher Education Act of 1965 to provide formula grants to States to improve higher education opportunities for foster youth and homeless youth, and for other purposes.

S. 3078

At the request of Mr. SCOTT of South Carolina, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of S. 3078, a bill to amend the Higher Education Act of 1965 to prohibit institutions of higher education that authorize Anti-Semitic events on campus from participating in the student loan and grant programs under title IV of such Act.

S. 3109

At the request of Mr. MARKEY, the names of the Senator from Hawaii (Ms. HIRONO) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. 3109, a bill to require the Administrator of the Centers for Medicare & Medicaid Services and the Commissioner of Social Security to review and simplify the processes, procedures, forms, and communications for family caregivers to assist individuals in establishing eligibility for, enrolling in, and maintaining and utilizing coverage and benefits under the Medicare, Medicaid, CHIP, and Social Security programs respectively, and for other purposes.

S. 3125

At the request of Mr. DURBIN, the name of the Senator from Illinois (Ms.

DUCKWORTH) was added as a cosponsor of S. 3125, a bill to reauthorize the Runaway and Homeless Youth Act, and for other purposes.

S. 3187

At the request of Mr. CORNYN, the name of the Senator from Arizona (Ms. SINEMA) was added as a cosponsor of S. 3187, a bill to require the Department of Homeland Security to publish various publications and reports regarding the number of aliens seeking entry along the southern border of the United States.

S. 3221

At the request of Mr. PADILLA, the name of the Senator from Arizona (Ms. SINEMA) was added as a cosponsor of S. 3221, a bill to amend title 5, United States Code, to establish a special limitation on pay for wildland fire responders, and for other purposes.

S. 3223

At the request of Ms. WARREN, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 3223, a bill to amend title 18, United States Code, to prevent bulk sales of ammunition, promote recordkeeping and reporting about ammunition, end ammunition straw purchasing, and require a background check before the transfer of ammunition by certain Federal firearms licensees to non-licensees.

S. 3227

At the request of Mr. THUNE, the name of the Senator from North Dakota (Mr. CRAMER) was added as a cosponsor of S. 3227, a bill to amend the Internal Revenue Code of 1986 to provide an alternative manner of furnishing certain health insurance coverage statements to individuals.

S. 3330

At the request of Mr. BRAUN, the name of the Senator from New Mexico (Mr. LUJÁN) was added as a cosponsor of S. 3330, a bill to require the Secretary of Labor to conduct a study on the fiduciary duties of pharmacy benefit managers.

S. 3369

At the request of Mr. HEINRICH, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 3369, a bill to amend title 18, United States Code, to restrict the possession of certain firearms, and for other purposes.

S. 3405

At the request of Mr. SCOTT of Florida, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 3405, a bill to require reciprocity from certain countries with respect to the reporting of official meetings with State and local officials, and for other purposes.

S. 3449

At the request of Mr. HEINRICH, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 3449, a bill to provide low-income individuals with opportunities to enter and follow a career pathway in

the health professions, and for other purposes.

S. 3454

At the request of Mr. SCOTT of Florida, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 3454, a bill to prohibit the use of Federal funds to purchase at-home tests for SARS-CoV-2 from certain foreign entities.

S. 3466

At the request of Mr. MORAN, the name of the Senator from Georgia (Mr. OSSOFF) was added as a cosponsor of S. 3466, a bill to require the Secretary of Veterans Affairs and the Comptroller General of the United States to submit to Congress reports regarding security and safety at facilities of the Department of Veterans Affairs, and for other purposes.

S. 3491

At the request of Mr. SCHMITT, the name of the Senator from Missouri (Mr. HAWLEY) was added as a cosponsor of S. 3491, a bill to prohibit United States contributions to the Intergovernmental Panel on Climate Change, the United Nations Framework Convention on Climate Change, and the Green Climate Fund.

S.J. RES. 49

At the request of Mr. CASSIDY, the names of the Senator from Louisiana (Mr. KENNEDY) and the Senator from Nebraska (Mrs. FISCHER) were added as cosponsors of S.J. Res. 49, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the National Labor Relations Board relating to a "Standard for Determining Joint Employer Status".

S. RES. 74

At the request of Mr. WYDEN, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. Res. 74, a resolution condemning the Government of Iran's state-sponsored persecution of the Baha'i minority and its continued violation of the International Covenants on Human Rights.

S. RES. 500

At the request of Mr. WARNOCK, the names of the Senator from Wisconsin (Ms. BALDWIN) and the Senator from Georgia (Mr. OSSOFF) were added as cosponsors of S. Res. 500, a resolution designating November 8, 2023, as "National First-Generation College Celebration Day".

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CARDIN (for himself and Mr. VAN HOLLEN):

S. 3544. A bill to designate the visitor and education center at Fort McHenry National Monument and Historic Shrine as the "Paul S. Sarbanes Visitor and Education Center"; to the Committee on Energy and Natural Resources.

Mr. CARDIN. Madam President, I am pleased to join Senator VAN HOLLEN in

introducing legislation to honor my friend and former colleague, the late Senator Paul S. Sarbanes, for his ceaseless efforts to preserve Fort McHenry in Baltimore, MD. Senator Sarbanes worked tirelessly to honor the site and elevate the history of the War of 1812 in the national consciousness throughout his career. This legislation acknowledges his long-term advocacy for the preservation of the site and the improvement of the visitor experience by designating the visitor and education center the Paul S. Sarbanes Visitor and Education Center.

I first got to know Senator Sarbanes when he first ran for public office in 1966. We both were elected to the Maryland General Assembly that year, and we became good friends. Delegate Sarbanes at that point made a name for himself on the House Judiciary Committee in the Maryland General Assembly and was a rising star from his first day in the Maryland General Assembly. He shortly thereafter ran for the U.S. House of Representatives, where he served three terms with a very distinguished record. His service in the House occurred during the Watergate scandal. Representative Sarbanes was on the Judiciary Committee and was given the responsibility of the first Article of Impeachment against President Nixon. That article dealt with obstruction of justice. It was the key article against President Nixon on impeachment, and it is very telling that a relatively young and junior Member of the House of Representatives was entrusted with pursuing and presenting it. It was because of his work ethic, his commitment to scholarship, and his understanding of legal issues that he was entrusted with such an awesome responsibility.

Paul Sarbanes then served five terms in the U.S. Senate, the longest term for any Senator in Maryland's history, which Senator Barbara Mikulski ties 10 years later. Paul Sarbanes was known as a Senator's Senator for his integrity and for his principled commitment to public service. He was a Rhodes Scholar who chose to serve the public rather than using his skills in the private sector for his own personal gain. His entire life was devoted to public service. What a legacy he has left us by his incredible public service. In 2002, the Enron scandal hit America, and Senator Sarbanes, then chairing the Banking Committee, teamed up with House Financial Services Committee Chair Michael Oxley ass the Sarbanes-Oxley legislation. Then-President George W. Bush called the Sarbanes-Oxley bill "the most far-reaching reforms of American business practices since the time of Franklin Delano Roosevelt." From Watergate to Enron and beyond, Paul Sarbanes stepped into the breach and he delivered on behalf of the American people. It is a fitting tribute to name the Visitor Center at Fort McHenry National Monument and Historic Shrine after a true American hero: Paul S. Sarbanes.

By Mr. REED (for himself, Mr. MERKLEY, Mr. BROWN, Ms. SMITH, Mr. BLUMENTHAL, Ms. STABENOW, Mr. WARNOCK, Mr. WHITEHOUSE, Mr. SCHATZ, Mr. WYDEN, Mr. BOOKER, Mr. LUJÁN, Mr. FETTERMAN, Mr. WELCH, Mr. PADILLA, and Ms. BUTLER):

S. 3549. A bill to amend the Truth in Lending Act to extend the consumer credit protections provided to members of the Armed Forces and their dependents under title 10, United States Code, to all consumers; to the Committee on Banking, Housing, and Urban Affairs.

Mr. REED. Madam President, today I am reintroducing the Predatory Lending Elimination Act along with along with Senator MERKLEY, Senate Banking Committee Chairman BROWN, and many of my colleagues. This important legislation would extend the bipartisan Military Lending Act's, MLA, protections for Active-Duty servicemembers and their families to all Americans by imposing a nationwide 36-percent cap on the annual percentage rate APR for most extensions of consumer credit.

To The MLA was enacted on a bipartisan basis in 2006 to rein in payday and other unscrupulous lenders that targeted American troops with abusive and predatory loans. Unfortunately, the MLA does not protect veterans or Gold Star families from these exploitative practices. Our servicemembers and their families should not lose important consumer protections simply because they retire, separate from honorable service, or lose their loved ones. As such, our legislation would extend the MLA's protections to veterans and Gold Star families as well as ensure that all Americans are shielded from predatory loans.

Hundreds of millions of American consumers could benefit from a 36-percent APR cap. In States that do not have such a cap, predatory lenders are permitted to offer loans with triple-digit APRs that trap individuals in cycles of debt. For instance, the Consumer Financial Protection Bureau found that 80 percent of payday loans are rolled over or renewed within 2 weeks. This practice can subject borrowers not just to high nominal interest rates but also to high fees that can quickly surpass the amount of money originally borrowed. These are hallmarks of predatory lending and poor underwriting.

According to a coalition of community organizations, payday lenders are known to target the most vulnerable, including seniors, veterans, and low-income borrowers. Many in these communities were already struggling to make ends meet before the COVID-19 pandemic, and continuing to pay exorbitant APRs may cause them to fall deeper into economic insecurity. This is why it is important to extend strong protections against unscrupulous lenders to all Americans.

The MLA's successful track record demonstrates that providing reasonable, responsible limits on interest



rates does not cut off consumers' access to credit. According to a May 2021 report from the Department of Defense, "credit cards, auto loans, and personal loans are widely available at risk-based rates under the 36 percent [military] APR" and "[s]ervice members continue to have ample access to necessary credit."

Moreover, this legislation would follow the trend in many States towards greater protections against predatory loans. Nineteen States and the District of Columbia have enacted 36 percent APR caps or banned payday loans. Lenders in these States have incentives to offer more affordable loans that borrowers have an ability to repay. The same incentives should apply across the Nation.

I thank the 170 consumer advocacy groups, faith-based organizations, veteran service organizations, and trade associations that support this bill, including the Consumer Federation of America, the National Consumer Law Center on behalf of its low-income clients, the Center for Responsible Lending, Americans for Financial Reform, Amalgamated Bank, the Military Officers Association of America, and the National Military Family Association.

I urge our colleagues to join us in supporting this important legislation.

#### SUBMITTED RESOLUTIONS

#### SENATE RESOLUTION 503—CONGRATULATING THE FLORIDA STATE UNIVERSITY SEMINOLES FOR WINNING THE 2023 ATLANTIC COAST CONFERENCE FOOTBALL CHAMPIONSHIP

Mr. SCOTT of Florida (for himself and Mr. RUBIO) submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. RES. 503

Whereas, on December 2, 2023, the Florida State University Seminoles football team won the 2023 Atlantic Coast Conference (ACC) Football Championship;

Whereas this marks a conference-leading 16th ACC Football Championship that the Seminoles have won since they joined the ACC in 1992;

Whereas the Seminoles defeated the nationally-ranked University of Louisville football team in the 19th ACC Football Championship game;

Whereas the Seminoles finished the regular season undefeated for the sixth time in program history;

Whereas the Seminoles were 1 of only 3 undefeated Power Five conference teams in America.

Whereas this marks the 109th ACC title for Florida State University Seminoles Athletics;

Whereas the Seminoles led all schools with 8 Seminoles players selected to the ACC All-Conference First Team;

Whereas the Seminoles led all schools with 17 ACC All-Conference selections on the first, second, and third teams;

Whereas Seminoles quarterback Jordan Travis—

(1) earned the 2023 ACC Football Player of the Year award; and

(2) earned the 2023 ACC Offensive Player of the Year award;

Whereas Seminoles Head Coach Michael Norvell—

(1) won his first ACC Football Championship in only his fourth season as head coach; and

(2) is only the fourth coach in program history to finish the regular season undefeated;

Whereas the Seminoles were the only undefeated Power Five Conference Champion to ever be left out of the playoffs;

Whereas the Seminoles were never ranked lower than fifth in any College Football Playoff rankings;

Whereas the Seminoles were jumped in the final College Football Playoff rankings by 2 teams with 1 loss despite the Seminoles having an undefeated record;

Whereas for the first time in the 10-year history of the College Football Playoffs system, 2 teams below the top 6 in the penultimate rankings each made an unprecedented jump of 4 spots to make the playoffs in the final rankings;

Whereas the 13-member College Football Playoff Selection Committee has continually operated under an opaque structure and decision-making process during its 10-year history, culminating in the unprecedented decision to leave out the undefeated Seminoles from the playoffs;

Whereas the College Football Playoff Selection Committee failed to adhere to its own College Football Playoff Selection Committee Protocols and Guiding Principles during the selection process;

Whereas the College Football Playoff Selection Committee did not follow its own precedent, such as when in 2014 the Committee admitted a 1-loss team into the playoffs, despite starting and winning its conference championship game with a third-string quarterback;

Whereas, despite facing substantial adversity throughout the entire season and the loss of numerous key players to injuries, the Seminoles finished the season undefeated and as the ACC Football Champions; and

Whereas the entire Seminoles roster, the coaches, and the support staff should be recognized for their outstanding season and contributions to an outstanding season: Now, therefore, be it

*Resolved*, That the Senate—

(1) congratulates the Florida State University football team, and the students, alumni, faculty, staff, and trustees of Florida State University, for winning the 2023 Atlantic Coast Conference Football Championship and completing an undefeated season; and

(2) respectfully directs the Secretary of the Senate to transmit an enrolled copy of this resolution to—

(A) the President of Florida State University, Richard McCullough;

(B) the Athletic Director of Florida State University, Michael Alford; and

(C) the Head Coach of the Florida State University football team, Michael Norvell.

#### SENATE RESOLUTION 504—REQUESTING INFORMATION ON ISRAEL'S HUMAN RIGHTS PRACTICES PURSUANT TO SECTION 502B(C) OF THE FOREIGN ASSISTANCE ACT OF 1961

Mr. SANDERS submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 504

Whereas there have been 5 rounds of fighting between Israel and Hamas in the last 15 years;

Whereas the current round of conflict began on October 7, 2023, when Hamas, a terrorist organization, unleashed a brutal attack against Israel, killing some 1,200 innocent men, women, and children, and taking more than 200 hostages;

Whereas United States citizens were among those killed and abducted by Hamas;

Whereas the Senate has unanimously reaffirmed Israel's right to defend itself against Hamas terrorism and respond against the perpetrators of the October 7, 2023, attack;

Whereas Israel has conducted retaliatory military operations against targets in Gaza since October 7, 2023, relying heavily on the use of airstrikes and artillery bombardment;

Whereas, as of December 14, 2023, nearly 19,000 people have been killed and more than 50,000 wounded in the Israeli counteroffensive in Gaza since October 7, 2023;

Whereas 70 percent of those killed in Gaza are reported to be women and children;

Whereas the United Nations, World Health Organization, human rights monitors, outside academic studies, the Government of Israel, and United States officials find these figures to be broadly reliable;

Whereas the United Nations, United States officials, and outside experts believe the current death toll is likely higher, with thousands of bodies trapped beneath the rubble in Gaza;

Whereas 135 United Nations aid workers have been killed in Gaza since October 7, 2023;

Whereas nearly 1,900,000 people, more than 85 percent of the population, have been displaced across the Gaza Strip since October 7, 2023;

Whereas, on November 24, 2023, the United Nations reported that "across the Gaza Strip, over 234,000 housing units have been damaged and more than 46,000 homes have been completely destroyed, amounting to over 60 [percent] of the total housing stock";

Whereas 43 United Nations facilities have sustained direct hits, 60 United Nations installations have sustained collateral damage, and 11 bakeries have been destroyed in the bombardment;

Whereas academic analysis of satellite radar data confirms the United Nations assessment that some 60 percent of the buildings in northern Gaza have been severely damaged and, across the Gaza Strip, "between 82,600 and 105,300 buildings have been left in ruins, according to the estimate, which counts buildings where at least half the structure was damaged";

Whereas Robert Pape, Professor of Political Science at the University of Chicago, said that "over the space of two years, between 1943 and 1945, the Allied bombing of 61 major German cities razed an estimated 50 percent of their urban areas," and that the Allied bombing of Dresden severely damaged 56 percent of that city's non-industrial buildings and half of its homes, a threshold the bombing in Gaza has matched in 2 months;

Whereas the Israeli military has made extensive use of Mark 84 2,000-pound bombs, Mark 83 1,000-pound bombs, Mark 82 500-pound bombs, and 155mm artillery in densely populated urban areas with a large civilian presence;

Whereas these munitions are manufactured in the United States and supplied to Israel by the United States;

Whereas the Washington Post reports that, in the first 6 weeks after October 7, 2023, the Government of Israel dropped more than 22,000 guided and unguided bombs on Gaza that were supplied by the United States;

Whereas CNN reports, based on United States intelligence assessments, that 40 to 45 percent of the 29,000 air-to-ground munitions



that Israel has used in Gaza since October 7, 2023 have been unguided “dumb bombs”;

Whereas the Wall Street Journal reports that the United States has provided at least 15,000 bombs and 57,000 155mm artillery shells to Israel since October 7, 2023, including more than 5,000 Mark 82 unguided 500-pound bombs, more than 5,400 Mark 84 2,000-pound bombs, and thousands of smaller munitions and targeting kits;

Whereas these munitions were delivered with the knowledge that they would likely be used in Gaza, a densely populated urban area with a large civilian presence;

Whereas the entire Gaza Strip is the physical size of Las Vegas but has more than 3 times the population, and Gaza City is more densely populated than New York City;

Whereas, on December 1, 2023, United States officials told the Wall Street Journal that “Israel used an American-provided bomb with a large payload in one of the deadliest strikes of the entire war, an attack that leveled an apartment block in Gaza’s Jabalia refugee camp, killing more than 100 people” in its effort to eliminate a Hamas leader, also reported killed in the strike; and

Whereas Amnesty International has found, based on photographic and satellite evidence, as well as on-the-ground investigation and analysis of bomb fragments, that United States-made Joint Direct Attack Munitions (JDAM) were used in 2 deadly Israeli airstrikes on homes in Gaza in which 43 civilians were killed: Now, therefore, be it

*Resolved,*

**SECTION 1. REQUEST FOR INFORMATION ON ISRAEL’S HUMAN RIGHTS PRACTICES.**

(a) STATEMENT REQUESTED.—The Senate requests that the Secretary of State, not later than 30 days after the date of the adoption of this resolution, transmit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives, pursuant to section 502B(c) of the Foreign Assistance Act of 1961 (22 U.S.C. 2304(c)), a statement regarding Israel’s human rights practices that has been prepared in collaboration with the Assistant Secretary of State for Democracy, Human Rights, and Labor and the Office of the Legal Adviser.

(b) ELEMENTS.—The statement submitted under subsection (a) should include—

(1) all available credible information concerning alleged violations of internationally recognized human rights by the Government of Israel, including—

(A) the denial of the right to life in the context of the armed conflict in Gaza and the West Bank caused by indiscriminate or disproportionate operations; and

(B) the denial of the right to life and the security of the person by the blanket denial of basic humanitarian needs, including food, water, medical care, fuel, and shelter;

(2) a description of the steps that the United States Government has taken to—

(A) promote respect for and observance of human rights as part of the Government of Israel’s activities, including in the context of the armed conflict in Gaza and the West Bank;

(B) limit the risk to civilian life and civilian infrastructure caused by Israeli military action in Gaza and the West Bank;

(C) discourage any practices that are inimical to internationally recognized human rights; and

(D) publicly or privately call attention to, and disassociate the United States and any security assistance provided for the Government of Israel from any practices described in subparagraph (C);

(3) an assessment, notwithstanding any practices described in paragraph (2)(B), of whether extraordinary circumstances exist

that necessitate a continuation of security assistance for the Government of Israel, and if so, a description of the circumstances and the extent to which security assistance should be continued (subject to such conditions as Congress may impose under section 502B of the Foreign Assistance Act of 1961 (22 U.S.C. 2304));

(4) a certification that no unit of the Israeli security forces receiving United States assistance since January 1, 2018, has—

(A) committed any gross violations of human rights; or

(B) continued to receive United States assistance in violation of section 620M of the Foreign Assistance Act of 1961 (22 U.S.C. 2378d) or section 362 of title 10, United States Code;

(5) a description of the manner and extent to which the Secretary of State or the Secretary of Defense has determined, for purposes of compliance with the vetting requirements of section 620M of the Foreign Assistance Act of 1961 (22 U.S.C. 2378d) and section 362 of title 10, United States Code, that any information relating to the commission of human rights violations by units of Israeli security forces is credible; and

(6) other information, including—

(A) a summary and list of United States weapons and munitions provided to Israel since October 7, 2023;

(B) an assessment from the Secretary of State of the likelihood that United States security assistance (as defined in section 502B(d) of the Foreign Assistance Act of 1961 (22 U.S.C. 2304(d))) will be used in support of Israeli activities related to the armed conflict in Gaza and the West Bank;

(C) a detailed assessment of the compliance of the Government of Israel with international human rights and humanitarian law during its operations in Gaza and the West Bank since October 7, 2023; and

(D) a description and assessment of the actions that the United States Government is taking to ensure end use monitoring protocols for all weapons sold or transferred to the Government of Israel for use in Gaza and the West Bank.

(c) GROSS VIOLATIONS OF HUMAN RIGHTS DEFINED.—In this section, the term “gross violations of human rights” has the meaning given the term “gross violations of internationally recognized human rights” in section 502B(d)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2304).

**SENATE RESOLUTION 505—CONDEMNING THE USE OF SEXUAL VIOLENCE AND RAPE AS A WEAPON OF WAR BY THE TERRORIST GROUP HAMAS AGAINST THE PEOPLE OF ISRAEL**

Mrs. SHAHEEN (for herself, Mrs. BRITT, Mrs. GILLIBRAND, Mrs. FISCHER, Mr. FETTERMAN, Ms. COLLINS, Mr. CASEY, Mr. WARNOCK, Mr. OSSOFF, Mr. KING, Ms. HIRONO, Mr. VAN HOLLEN, Ms. DUCKWORTH, Mr. WYDEN, Mr. MURPHY, Mr. WHITEHOUSE, Mr. KAINE, Ms. CORTEZ MASTO, Mr. WARNER, Ms. ROSEN, Ms. HASSAN, Mr. BENNET, and Mr. PETERS) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 505

Whereas on October 7, 2023, the terrorist organization Hamas—

(1) attacked communities, military installations, and a music festival in southern Israel;

(2) killed approximately 1,200 people; and

(3) seized more than 200 hostages;

Whereas evidence that emerged in the first days after such attacks indicates that Hamas fighters deliberately used sexual violence against women and children;

Whereas Israeli police have gathered evidence from more than 1,500 women and men in Israel—

(1) who reported being sexually assaulted during such attacks;

(2) who were witness to such sexual assaults; or

(3) whose sexual assaults have been medically documented;

Whereas while gender-based violence is prevalent in many conflict settings—

(1) such violence is almost always severely underreported during and after a conflict; and

(2) the United Nations estimates that, in conflict areas, for every rape that is reported, between 10 and 20 cases of sexual violence are not reported;

Whereas the Civil Commission on October 7 Crimes by Hamas Against Women And Children, which seeks to document the sexual and gender-based atrocities committed on October 7, 2023, reported that it is unable to accurately estimate the number of such victims in part because many of them were killed during the Hamas attacks;

Whereas the victims of the deliberate use of sexual violence as a weapon to wage war against Israel are men and women of all ages, including children, teenagers, and the elderly;

Whereas eyewitness testimony reports that women at the Tribe of Nova music festival were gang-raped, tortured, mutilated, and executed;

Whereas Israeli officials have documented extensive sexual abuse of corpses;

Whereas reports from released hostages held by Hamas for more than a month indicate that women and men were subjected to sexual violence while in captivity;

Whereas the Geneva Convention relative to the Protection of Civilian Persons in Time of War, done at Geneva August 12, 1949 (commonly referred to as the “Fourth Geneva Convention”) recognizes rape in conflict settings as a war crime; and

Whereas sexual violence is used in many conflict settings as a tool to humiliate, control, oppress, and defeat women and the communities to which they belong: Now, therefore, be it

*Resolved,* That the Senate—

(1) honors the memories of all the victims of the October 7, 2023, terrorist attacks perpetrated by Hamas, including those who were victims of sexual violence, and stands with the survivors, their families, and the families of all the deceased;

(2) condemns in the strongest terms the deliberate use of gender-based violence against women and children in Israel during the terrorist attacks on October 7, 2023;

(3) calls upon the international community—

(A) to prioritize the elimination of gender-based violence in conflict settings;

(B) to respond to the testimonials of victims and recognize and condemn gender-based violence in conflict settings as soon as it is reported; and

(C) to take every possible step to end the widespread use of rape as a weapon of war;

(4) demands accountability for the perpetrators of rape as a weapon of war and justice for their victims; and

(5) stands with the women and girls of Israel, the victims of the heinous attacks of October 7, and all who have suffered rape as a weapon of war.

SENATE RESOLUTION 506—COMMEMORATING THE 80TH ANNIVERSARY OF THE REPEAL OF THE CHINESE EXCLUSION ACT OF 1882

Ms. HIRONO (for herself, Ms. DUCKWORTH, Mr. SCHATZ, Mrs. MURRAY, Mr. PADILLA, Ms. BUTLER, Mr. VAN HOLLEN, Mr. WELCH, Mr. WYDEN, Mr. MARKEY, Mr. DURBIN, and Mr. CASEY) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 506

Whereas many Chinese people came to the United States in the 19th and 20th centuries, as did people from other countries, in search of the opportunity to create a better life;

Whereas the contributions of Chinese Americans in agriculture, mining, manufacturing, transportation, canning, and other industries were critical to shaping the history of the United States and strengthening the United States in the present;

Whereas Chinese people faced racial ostracism and violent assaults in the United States from the middle of the 19th century through the early 20th century, and Chinese people continue to experience anti-Asian hate in the present;

Whereas, on October 19, 1868, the United States ratified the Burlingame Treaty, which permitted the free movement of Chinese people to, from, and within the United States, and made China a “most favored nation”;

Whereas, in 1878, Congress introduced a joint resolution requesting that President Rutherford B. Hayes renegotiate the Burlingame Treaty so Congress could limit Chinese immigration to the United States;

Whereas, on February 22, 1879, Congress passed the “Fifteen Passenger Bill”, which would have only permitted 15 Chinese passengers on board any ship traveling to the United States;

Whereas, on March 1, 1879, President Hayes vetoed the “Fifteen Passenger Bill” as being incompatible with the Burlingame Treaty;

Whereas, on May 9, 1881, the United States ratified the Angell Treaty, which—

(1) allowed the United States to suspend, but not to prohibit, the immigration of Chinese laborers;

(2) declared that “Chinese laborers who are now in the United States shall be allowed to go and come of their own free will”; and

(3) reaffirmed that Chinese persons possessed “all the rights, privileges, immunities, and exemptions which are accorded to the citizens and subjects of the most favored nation”;

Whereas Congress passed legislation that adversely affected and limited the civil rights of Chinese people in the United States, including—

(1) on March 23, 1882, the first Chinese Exclusion Act, which would have excluded skilled and unskilled Chinese laborers for 20 years and expressly denied Chinese people the right to be naturalized as citizens of the United States, and which was vetoed by President Chester A. Arthur on April 4, 1882, as incompatible with the terms and the spirit of the Angell Treaty;

(2) on May 3, 1882, the Chinese Exclusion Act of 1882 (22 Stat. 58, chapter 126), which—

(A) prohibited Chinese workers from entering the United States for 10 years instead of 20;

(B) required certain Chinese laborers already legally present at that time in the United States who later wished to reenter the United States to obtain “certificates for return”;

(C) prohibited courts from naturalizing Chinese individuals;

(D) was signed into law by President Arthur on May 6, 1882; and

(E) was the first Federal law that excluded a single group of people in the United States on the basis of race;

(3) on July 3, 1884, an expansion of the Chinese Exclusion Act of 1882 (23 Stat. 115, chapter 220), which—

(A) applied the Act to all people of Chinese descent, “whether subjects of China or any other foreign power”; and

(B) was signed into law by President Arthur on July 5, 1884;

(4) on September 13, 1888, the Scott Act (25 Stat. 504, chapter 1064), which—

(A) prohibited legal Chinese laborers from reentering the United States, and cancelled all previously issued “certificates for return”;

(B) was signed into law by President Grover Cleveland on October 1, 1888; and

(C) was determined by the Supreme Court of the United States in *Chae Chan Ping v. United States*, 130 U.S. 581 (1889), to have abrogated the Angell Treaty; and

(5) on May 4, 1892, the Geary Act (27 Stat. 25, chapter 60), which—

(A) reauthorized the Chinese Exclusion Act of 1882 for another 10 years;

(B) denied Chinese immigrants the right to be released on bail on application for a writ of habeas corpus;

(C) authorized the deportation of Chinese people who could not produce a certificate of residence unless they could establish residence through the testimony of “at least one credible white witness”, contrary to customary legal standards regarding the presumption of innocence; and

(D) was signed into law by President Benjamin Harrison on May 5, 1892;

Whereas, in 1894, the United States and China agreed to the Gresham-Yang Treaty, within which the Chinese government consented to a prohibition of Chinese immigration and the enforcement of the Geary Act in exchange for readmission to the United States of Chinese people who were residents of the United States;

Whereas, in 1898, the United States—

(1) annexed Hawaii;

(2) took control of the Philippines; and

(3) excluded only the residents of Chinese ancestry of Hawaii and the Philippines from entering the mainland of the United States;

Whereas, on April 29, 1902, as the Geary Act was expiring, Congress indefinitely extended all laws regulating and restricting Chinese immigration and residence, to the extent consistent with Treaty commitments;

Whereas, on April 27, 1904, after the Chinese government withdrew from the Gresham-Yang Treaty, Congress permanently extended “without modification, limitation, or condition” the prohibition on Chinese naturalization and immigration in the United States;

Whereas these Federal statutes enshrined in law the exclusion of Chinese people in the United States from the democratic process and the promise of freedom;

Whereas, in an attempt to undermine the alliance between the United States and China during World War II, enemy forces used the Chinese exclusion legislation passed by Congress as evidence of anti-Chinese attitudes in the United States;

Whereas, on November 26, 1943, in furtherance of the war objectives of the United States and at the urging of President Franklin D. Roosevelt, Congress passed the Magnuson Act (57 Stat. 600, chapter 344), which—

(1) repealed previously enacted Chinese exclusion legislation;

(2) permitted Chinese people to become naturalized citizens of the United States; and

(3) was signed into law by President Roosevelt on December 17, 1943;

Whereas, on October 6, 2011, the Senate unanimously agreed to a resolution sponsored by Senator Scott Brown which formally expressed regret for the passage of discriminatory laws against Chinese Americans, including the Chinese Exclusion Act of 1882;

Whereas, on June 18, 2012, the House of Representatives unanimously agreed to a resolution sponsored by Representative Judy Chu which formally expressed regret for the passage of laws that adversely affected Chinese Americans, including the Chinese Exclusion Act of 1882;

Whereas Chinese Americans continue to play a significant role in the success of the United States; and

Whereas the United States must continue to reject anti-Asian hate and to build a country that does not perpetuate racist or xenophobic rhetoric or policies that have long profiled Asian American, Native Hawaiian, and Pacific Islander communities in the United States; Now, therefore, be it

*Resolved*, That the Senate—

(1) commemorates the 80th anniversary of the repeal of the Chinese Exclusion Act of 1882 (22 Stat. 58, chapter 126);

(2) celebrates Chinese American communities who have enriched the fabric of the United States;

(3) acknowledges that historic and current frameworks of anti-Chinese legislation, including the Chinese Exclusion Act of 1882, are incompatible with the basic founding principles recognized in the Declaration of Independence and with the spirit of the Constitution of the United States; and

(4) reaffirms its commitment to preserving the same civil rights and constitutional protections for people of Chinese or other Asian, Native Hawaiian, and Pacific Islander descent in the United States accorded to all other people in the United States, regardless of race or ethnicity.

SENATE RESOLUTION 507—DESIGNATING SEPTEMBER 25, 2023, AS “NATIONAL ATAXIA AWARENESS DAY”, AND RAISING AWARENESS OF ATAXIA, ATAXIA RESEARCH, AND THE SEARCH FOR A CURE

Mrs. HYDE-SMITH (for herself, Mr. MURPHY, Mrs. CAPITO, and Ms. STABENOW) submitted the following resolution; which was considered and agreed to:

S. RES. 507

Whereas ataxia is a clinical manifestation indicating degeneration or dysfunction of the brain that negatively affects the coordination, precision, and accurate timing of physical movements;

Whereas ataxia can strike individuals of all ages, including children;

Whereas the term “ataxia” is used to classify a group of rare, inherited neurodegenerative diseases including—

(1) ataxia telangiectasia;

(2) episodic ataxia;

(3) Friedreich’s ataxia; and

(4) spinocerebellar ataxia;

Whereas there are many known types of genetic ataxia, but the genetic basis for ataxia in some patients is still unknown;

Whereas all inherited ataxias affect fewer than 200,000 individuals in the United States and, therefore, are recognized as rare diseases under the Orphan Drug Act (Public Law 97-414; 96 Stat. 2049);

Whereas some genetic ataxias are inherited in an autosomal dominant manner while

others are inherited in an autosomal recessive manner;

Whereas ataxia symptoms can also be caused by noninherited health conditions and other factors, including stroke, tumor, cerebral palsy, head trauma, multiple sclerosis, alcohol addiction or misuse, and certain medications;

Whereas ataxia can present physical, psychological, and financial challenges for patients and their families;

Whereas symptoms and outcomes of ataxia progress at different rates and can include—

- (1) lack of coordination;
- (2) slurred speech;
- (3) cardiomyopathy;
- (4) scoliosis;
- (5) eye movement abnormalities;
- (6) difficulty walking;
- (7) tremors;
- (8) trouble eating and swallowing;
- (9) difficulties with other activities that require fine motor skills; and
- (10) death;

Whereas many patients with ataxia require the use of assistive devices, such as wheelchairs and walkers, to aid in their mobility, and many individuals may need physical and occupational therapy;

Whereas few treatments and no cures have been approved for ataxia; and

Whereas clinical research to develop safe and effective treatments for ataxia is ongoing; Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes the need for greater public awareness of ataxia;

(2) designates September 25, 2023, as “National Ataxia Awareness Day”;

(3) supports the goals of National Ataxia Awareness Day, which are—

(A) to raise awareness of the causes and symptoms of ataxia among the general public and health care professionals;

(B) to improve diagnosis of ataxia and access to care for patients affected by ataxia; and

(C) to accelerate ataxia research, including on safe and effective treatment options and, ultimately, a cure;

(4) recognizes the individuals in the United States who face challenges due to having ataxia, and the families of those individuals; and

(5) encourages States, territories, and localities to support the goals of National Ataxia Awareness Day.

#### SENATE RESOLUTION 508—RECOGNIZING INTERSCHOLASTIC ATHLETIC ADMINISTRATORS’ DAY ON DECEMBER 14, 2023

Mr. BRAUN submitted the following resolution; which was considered and agreed to:

S. RES. 508

Whereas, each December, the Senate recognizes the positive contributions of interscholastic athletic administrators;

Whereas the Senate recognizes the position of interscholastic athletic administrator as an important contributor to the education of students in the United States that helps foster the development of students physically, mentally, socially, and emotionally;

Whereas, for students, interscholastic athletic participation is an integral part of the educational experience and enhances the learning and maturation process;

Whereas interscholastic athletic administrators serve as guardians of education-based athletics, which includes ensuring the safety and well-being of all student-athletes;

Whereas interscholastic athletic administrators have stewardship over more than

7,800,000 students in high schools across the United States;

Whereas the existence of well-trained and supported interscholastic athletic administrators is essential to the operation of the education system in the United States;

Whereas interscholastic athletic administrators are often among the first individuals to arrive at school each morning so that student-athletes have opportunities to use athletic facilities, stay later in the evening as various sports teams practice, and often work weekends during interscholastic competitions;

Whereas interscholastic athletic administrators are committed to developing and maintaining comprehensive education-based athletic programs that seek to achieve the highest development of all student-athletes;

Whereas State interscholastic athletic administrator associations report that the field is experiencing high turnover rates;

Whereas the retention of the interscholastic athletic administrator workforce in the United States is essential to protecting school-based athletics as part of a robust educational experience; and

Whereas the athletic programs run by interscholastic athletic administrators have impacts that extend well beyond playing fields, athletic venues, and even schools: Now, therefore, be it

*Resolved*, That the Senate—

(1) supports the annual recognition of Interscholastic Athletic Administrators’ Day on December 14, 2023;

(2) commends interscholastic athletic administrators for the commitment and leadership provided to student-athletes at the secondary school level; and

(3) commends the National Interscholastic Athletic Administrators Association as the leading organization that prepares individuals who lead secondary school athletics throughout the United States, providing continuous learning, professional development, and resources to assist interscholastic athletic administrators.

#### SENATE RESOLUTION 509—RECOGNIZING THE FIRST COMMEMORATION OF THE ANTI-LGBTQ+ ATTACK THAT OCCURRED ON NOVEMBER 19–20, 2022, AT CLUB Q, AN LGBTQ+ BAR IN COLORADO SPRINGS, COLORADO

Mr. BENNET (for himself and Mr. HICKENLOOPER) submitted the following resolution; which was considered and agreed to:

S. RES. 509

Whereas, on November 19–20, 2022, a mass shooting took place at Club Q, an LGBTQ+ bar in Colorado Springs, Colorado;

Whereas 5 innocent victims were killed, 17 community members were injured by gunshot wounds, and 32 other community members sustained injuries, including mental and emotional trauma from witnessing this violent event;

Whereas the 5 innocent victims killed in the shooting were—

- (1) Raymond Green Vance;
- (2) Ashley Paugh;
- (3) Daniel Aston;
- (4) Kelly Loving; and
- (5) Derrick Rump;

Whereas the State of Colorado came together for medical and funeral expenses for those affected by the shooting;

Whereas, at the time of the mass shooting, Club Q was a dedicated LGBTQ+ safe space in Colorado Springs, Colorado;

Whereas the shooting brought further trauma and a feeling of loss of safety and se-

curity to members of the LGBTQ+ community;

Whereas the perpetrator of the attack had a history of homicidal behavior and hatefully targeted the individuals at Club Q because of their affiliation with the LGBTQ+ community;

Whereas, according to the Centers for Disease Control and Prevention, in 2022, there were more than 48,000 firearm-related deaths in the United States, of which 40 percent were firearm homicides, according to provisional mortality data;

Whereas transgender people are over 4 times more likely than the broader public to experience violent victimization, including rape, sexual assault, and aggravated or simple assault;

Whereas the Federal Bureau of Investigation compiled reports of 622 anti-LGBTQ+ hate crimes in 2022;

Whereas violence against LGBTQ+ people of the United States remains an evil and destructive form of identity-based hate that destroys lives and runs contrary to the values of the United States;

Whereas the people of the United States commend the club patrons Richard M. Fierro, Drea Norman, and Petty Officer Thomas James, whose bravery in disarming the perpetrator undoubtedly saved countless lives;

Whereas the people of the United States commend the service of the Colorado Springs Police Department that responded to and investigated the shooting and the prosecution team from the District Attorney’s Office of Colorado’s Fourth Judicial District that worked to bring the perpetrator to justice;

Whereas Club Q plans to reopen at a new location, and local community organizations, the city of Colorado Springs, survivors, and victims’ families are working together to establish a plan for a public memorial; and

Whereas the LGBTQ+ community of Colorado Springs, local social service organizations, and clinical partners are collaborating to open a new resource center to provide long term support for those impacted by the attack on Club Q, and the greater LGBTQ+ community: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes the 1 year remembrance of the anti-LGBTQ+ attack that occurred on November 19–20, 2022, at Club Q, an LGBTQ+ bar in Colorado Springs, Colorado; and

(2) expresses continued solidarity and support to the survivors of the Club Q shooting, the Colorado Springs LGBTQ+ community in the wake of this attack, and the families, friends, and loved ones affected by the tragedy.

#### SENATE RESOLUTION 510—EXPRESSING THE SENSE OF THE SENATE THAT THE SCIENTIFIC JUDGEMENT OF THE FOOD AND DRUG ADMINISTRATION THAT MIFEPRISTONE IS SAFE AND EFFECTIVE SHOULD BE RESPECTED, AND LAW AND POLICY GOVERNING ACCESS TO LIFE-SAVING, TIME-SENSITIVE MEDICATION ABORTION CARE IN THE UNITED STATES SHOULD BE EQUITABLE AND BASED ON SCIENCE

Ms. WARREN (for herself, Ms. BALDWIN, Mr. BLUMENTHAL, Mr. SCHUMER, Mr. HEINRICH, Mr. MERKLEY, Mr. PADILLA, Ms. HIRONO, Mr. BROWN, Mr. HICKENLOOPER, Ms. STABENOW, Mr.

BENNET, Ms. DUCKWORTH, Ms. CANTWELL, Mrs. SHAHEEN, Mr. VAN HOLLEN, Mr. KING, Mr. WYDEN, Mr. FETTERMAN, Ms. BUTLER, Mr. REED, Mr. CARPER, Ms. CORTEZ MASTO, Mr. WELCH, Ms. ROSEN, Mr. MURPHY, Ms. SINEMA, Mr. SANDERS, Mr. MENENDEZ, Mrs. GILLIBRAND, Ms. SMITH, Mr. SCHATZ, Mr. KELLY, Mr. MARKEY, Ms. HASSAN, Mr. WHITEHOUSE, Mr. WARNOCK, Mr. DURBIN, Mr. BOOKER, and Ms. KLOBUCHAR) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

## S. RES. 510

Whereas Congress, by enacting the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.), authorized the Food and Drug Administration (referred to in this preamble as the “FDA”) to determine, based on the scientific expertise of the FDA, whether a drug is safe and effective for the intended use of the drug;

Whereas mifepristone is a medication that can be used to terminate a pregnancy;

Whereas mifepristone received approval from the FDA more than 20 years ago, and according to the FDA, the “efficacy and safety [of mifepristone] have become well-established by both research and experience, and serious complications have proven to be extremely rare”;

Whereas the FDA approved mifepristone following a rigorous 54-month review period that included the review of 3 complete phases of clinical trials that involved thousands of participants and whose data showed that mifepristone was safe and effective for termination of an early pregnancy;

Whereas, in January 2023, after extensive evidence-based review, the FDA approved a modification to the Mifepristone Risk Evaluation and Mitigation Strategy that removed the in-person dispensing requirement and added a pharmacy certification requirement, allowing Mifeprex and its approved generic mifepristone, Mifepristone Tablets, 200mg, to be dispensed by certified pharmacies, both in-person and by mail, as well as by or under the supervision of certified prescribers;

Whereas the FDA relied on overwhelming evidence that medication abortion using mifepristone is a safe and effective method to end a pregnancy;

Whereas leading medical and scientific organizations, including the World Health Organization, the American Medical Association, the American College of Obstetricians and Gynecologists, and the American Academy of Family Physicians, recognize that mifepristone is safe and effective and continue to recommend the availability of mifepristone for use in obstetric care;

Whereas the importance of medication abortion is recognized globally, and the World Health Organization has included mifepristone on its list of essential medicines since 2005;

Whereas the safety record of mifepristone is demonstrated by its availability in more than 90 countries, including countries without restrictions such as the FDA risk evaluation and mitigation strategy requirement;

Whereas medication abortion accounted for more than half of all abortions in the United States in 2021;

Whereas following the decision of the Supreme Court of the United States in *Dobbs v. Jackson Women’s Health Organization*, 142 S. Ct. 2228 (2022), to overturn decades of precedent in *Roe v. Wade*, 410 U.S. 113 (1973), and *Planned Parenthood v. Casey*, 505 U.S. 833 (1992), several States moved to further re-

strict access to abortion care, compounding an already complex landscape and exacerbating the existing abortion access crisis;

Whereas, as of December 13, 2023, 17 States have filed bills with antimedication abortion provisions, and multiple States, including Florida, North Carolina, and Wyoming, have enacted restrictions on medication abortion;

Whereas mere months after the decision of the Supreme Court of the United States to overturn *Roe v. Wade*, 410 U.S. 113 (1973), and *Planned Parenthood v. Casey*, 505 U.S. 833 (1992), in *Dobbs v. Jackson Women’s Health Organization*, 142 S. Ct. 2228 (2022), anti-abortion groups have filed baseless claims against the FDA over the approval of mifepristone, in an attempt to remove mifepristone from the market;

Whereas the impact to the health and well-being of patients across the country would be devastating if mifepristone were taken off the market;

Whereas abortion bans and restrictions force patients to travel greater distances for care and face longer wait times, and force some patients who are unable to access care to remain pregnant against their will;

Whereas, if mifepristone is taken off the market, providers may be prevented from treating pregnancy loss using mifepristone, and abortion providers and health care centers may be stretched impossibly thin and be unable to keep up with the demand of patients who need abortion care; and

Whereas, due to discrimination, unnecessary restrictions on abortion, including medication abortion, disproportionately push care out of reach for—

- (1) Black and Indigenous people;
- (2) people of color;
- (3) immigrants;
- (4) people with lower incomes;
- (5) people in rural communities;
- (6) LGBTQ+ people;
- (7) people living with disabilities; and

(8) other pregnant people who have been disproportionately harmed by systemic inequities in health care: Now, therefore, be it Resolved, That it is the sense of the Senate that—

(1) policies governing access to medication abortion care in the United States should be grounded in science and based on scientific review by the Food and Drug Administration of available medical evidence;

(2) Congress has granted the Food and Drug Administration the authority to conduct pre-market approvals and post-market reviews of prescription drug medications and medical devices based on scientific determinations of their safety and efficacy, and without interference from other branches of government at the Federal, State, and local levels;

(3) the Food and Drug Administration has performed scientific reviews of mifepristone, and in the 2000 approval and subsequent regulatory actions in 2011, 2016, 2019, and 2023, the Food and Drug Administration found mifepristone to be safe and effective for women seeking abortions; and

(4) medication abortion is an important method to ensure equitable access to abortion for patients harmed by statutory, regulatory, financial, and circumstantial restrictions that have worsened reproductive health disparities for—

- (A) Black and Indigenous people;
- (B) people of color;
- (C) immigrants;
- (D) people with lower incomes;
- (E) people in rural communities;
- (F) LGBTQ+ people;
- (G) people living with disabilities; and
- (H) people in other marginalized communities.

## AMENDMENTS SUBMITTED AND PROPOSED

SA 1377. Mr. SCHUMER (for Mrs. BLACKBURN (for herself and Mr. OSSOFF)) proposed an amendment to the bill S. 474, to amend title 18, United States Code, to strengthen reporting to the CyberTipline related to online sexual exploitation of children, to modernize liabilities for such reports, to preserve the contents of such reports for 1 year, and for other purposes.

SA 1378. Mr. SCHUMER (for Mr. KELLY (for himself, Mr. CRUZ, Mr. YOUNG, Mr. HAGERTY, Mr. BROWN, Ms. SINEMA, and Mr. HEINRICH)) proposed an amendment to the bill S. 2228, to amend the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 to clarify the scope of a major Federal action under the National Environmental Policy Act of 1969 with respect to certain projects relating to the production of semiconductors, and for other purposes.

## TEXT OF AMENDMENTS

SA 1377. Mr. SCHUMER (for Mrs. BLACKBURN (for herself and Mr. OSSOFF)) proposed an amendment to the bill S. 474, to amend title 18, United States Code, to strengthen reporting to the CyberTipline related to online sexual exploitation of children, to modernize liabilities for such reports, to preserve the contents of such reports for 1 year, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Revising Existing Procedures On Reporting via Technology Act” or the “REPORT Act”.

**SEC. 2. LIMITED LIABILITY MODERNIZATION.**

(a) AMENDMENTS.—Section 2258B of title 18, United States Code, is amended—

(1) in the section heading, by striking “**providers or domain name registrars**” and inserting “**the reporting, storage, and handling of certain visual depictions of apparent child pornography to the National Center for Missing & Exploited Children**”;

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by inserting “or charge” after “a claim”;

and

(B) in paragraph (2)(C), by striking “this section.”;

(3) by adding at the end the following:

“(d) LIMITED LIABILITY FOR NCMEC-CONTRACTED VENDORS.—

“(1) IN GENERAL.—Except as provided in paragraph (2), a civil claim or criminal charge may not be brought in any Federal or State court against a vendor contractually retained and designated by NCMEC to support the duties of NCMEC under section 404(b)(1)(K) of the Juvenile Justice and Delinquency Prevention Act of 1974 (34 U.S.C. 11293(b)(1)(K)).

“(2) INTENTIONAL, RECKLESS, OR OTHER MISCONDUCT.—Paragraph (1) shall not apply to a claim or charge if the vendor—

“(A) engaged in—

“(i) intentional misconduct; or

“(ii) negligent conduct; or

“(B) acted, or failed to act—

“(i) with actual malice;

“(ii) with reckless disregard to a substantial risk of causing injury without legal justification; or

“(iii) for a purpose unrelated to the performance of any responsibility or function—

“(I) set forth in paragraph (1); or

“(II) pursuant to sections 2258A, 2258C, 2702, or 2703.

“(3) **VENDOR CYBERSECURITY REQUIREMENTS.**—With respect to any visual depiction provided pursuant to the duties of NCMEC under section 404(b)(1)(K) of the Juvenile Justice and Delinquency Prevention Act of 1974 (34 U.S.C. 11293(b)(1)(K)) that is stored or transferred by a vendor contractually retained and designated by NCMEC to support such duties of NCMEC, a vendor shall—

“(A) secure such visual depiction in a manner that is consistent with the most recent version of the Cybersecurity Framework developed by the National Institute of Standards and Technology, or any successor thereto;

“(B) minimize the number of employees that may be able to obtain access to such visual depiction;

“(C) employ end-to-end encryption for data storage and transfer functions, or an equivalent technological standard;

“(D) undergo an independent annual cybersecurity audit to determine whether such visual depiction is secured as required under subparagraph (A); and

“(E) promptly address all issues identified by an audit described in subparagraph (D).

“(e) **LIMITED LIABILITY FOR REPORTING APPARENT CHILD PORNOGRAPHY BY AN INDIVIDUAL DEPICTED IN THE CHILD PORNOGRAPHY AS A MINOR, OR A REPRESENTATIVE OF SUCH INDIVIDUAL.**—

“(1) **IN GENERAL.**—Except as provided in paragraph (2), a civil claim or criminal charge may not be brought in any Federal or State court against an individual depicted in child pornography as a minor, or a representative of such individual, arising from a report to the NCMEC CyberTipline by the individual, or the representative of such individual, of information that relates to the child pornography in which the individual is depicted as a minor, including a copy of the child pornography.

“(2) **INTENTIONAL, RECKLESS, OR OTHER MISCONDUCT.**—Paragraph (1) shall not apply to a claim or charge if the individual, or the representative of such individual—

“(A) engaged in—

“(i) intentional misconduct;

“(ii) negligent conduct; or

“(iii) any activity which constitutes a violation of section 2251; or

“(B) acted, or failed to act—

“(i) with actual malice; or

“(ii) with reckless disregard to a substantial risk of causing injury without legal justification.

“(3) **MINIMIZING ACCESS.**—With respect to any child pornography reported to the NCMEC CyberTipline by an individual depicted in the child pornography as a minor, or a representative of such individual, NCMEC shall minimize access to the child pornography and ensure the appropriate deletion of the child pornography, as set forth in section 2258D.

“(4) **DEFINITION.**—For purposes of this subsection, the term ‘representative’, with respect to an individual depicted in child pornography—

“(A) means—

“(i) the parent or legal guardian of the individual, if the individual is under 18 years of age;

“(ii) the legal guardian or other person appointed by a court to represent the individual;

“(iii) a legal representative retained by the individual;

“(iv) a representative of the estate of the individual; or

“(v) a person who is a mandated reporter under section 226(a)(1) of the Victims of Child Abuse Act of 1990 (34 U.S.C. 20341(a)(1)); and

“(B) does not include a person who engaged in any activity which constitutes a violation of section 2251.”

(b) **APPLICABILITY.**—The amendments made by subsection (a) shall apply with respect to a civil claim or criminal charge that is filed on or after the date of enactment of this Act.

(c) **TABLE OF SECTIONS AMENDMENT.**—The table of sections for chapter 110 of title 18, United States Code, is amended by striking the item relating to section 2258B and inserting the following:

“2258B. Limited liability for the reporting, storage, and handling of certain visual depictions of apparent child pornography to the National Center for Missing & Exploited Children.”

**SEC. 3. PRESERVATION OF REPORTS TO CYBERTIPLINE RELATED TO ONLINE SEXUAL EXPLOITATION OF CHILDREN.**

Section 2258A(h) of title 18, United States Code, is amended—

(1) in paragraph (1), by striking “90 days” and inserting “1 year”; and

(2) by adding at the end the following:

“(5) **EXTENSION OF PRESERVATION.**—A provider of a report to the CyberTipline under subsection (a)(1) may voluntarily preserve the contents provided in the report (including any comingled content described in paragraph (2)) for longer than 1 year after the submission to the CyberTipline for the purpose of reducing the proliferation of online child sexual exploitation or preventing the online sexual exploitation of children.

“(6) **METHOD OF PRESERVATION.**—Not later than 1 year after the date of enactment of this paragraph, a provider of a report to the CyberTipline under subsection (a)(1) shall preserve materials under this subsection in a manner that is consistent with the most recent version of the Cybersecurity Framework developed by the National Institute of Standards and Technology, or any successor thereto.”

**SEC. 4. STRENGTHENING OF DUTY TO REPORT APPARENT VIOLATIONS TO CYBERTIPLINE RELATED TO ONLINE EXPLOITATION OF CHILDREN.**

(a) **AMENDMENTS.**—Section 2258A of title 18, United States Code, is amended—

(1) in subsection (a)(2)(A), by inserting “, of section 1591 (if the violation involves a minor), or of 2422(b)” after “child pornography”; and

(2) in subsection (e)—

(A) in paragraph (1), by striking “\$150,000” and inserting “\$850,000 in the case of a provider with not less than 100,000,000 monthly active users or \$600,000 in the case of a provider with less than 100,000,000 monthly active users”; and

(B) in paragraph (2), by striking “\$300,000” and inserting “\$1,000,000 in the case of a provider with not less than 100,000,000 monthly active users or \$850,000 in the case of a provider with less than 100,000,000 monthly active users”.

(b) **GUIDELINES.**—Not later than 180 days after the date of enactment of this Act, the National Center for Missing & Exploited Children may issue guidelines, as appropriate, to providers required or permitted to take actions described in section 2258A(a)(1)(B) of title 18, United States Code, on the relevant identifiers for content that may indicate sex trafficking of children, as described in section 1591 of that title, or enticement, as described in section 2422(b) of that title.

**SA 1378.** Mr. SCHUMER (for Mr. KELLY (for himself, Mr. CRUZ, Mr. YOUNG, Mr. HAGERTY, Mr. BROWN, Ms. SINEMA, and Mr. HEINRICH)) proposed

an amendment to the bill S. 2228, to amend the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 to clarify the scope of a major Federal action under the National Environmental Policy Act of 1969 with respect to certain projects relating to the production of semiconductors, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Building Chips in America Act of 2023”.

**SEC. 2. SEMICONDUCTOR PROGRAM.**

Title XCIX of division H of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (15 U.S.C. 4651 et seq.) is amended—

(1) in section 9902 (15 U.S.C. 4652)—

(A) by redesignating subsections (h) and (i) as subsections (i) and (j), respectively; and

(B) by inserting after subsection (g) the following:

“(h) **AUTHORITY RELATING TO ENVIRONMENTAL REVIEW.**—

“(1) **IN GENERAL.**—Notwithstanding any other provision of law, the provision by the Secretary of Federal financial assistance for a project described in this section that satisfies the requirements under subsection (a)(2)(C)(i) of this section shall not be considered to be a major Federal action under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) (referred to in this subsection as ‘NEPA’) or an undertaking for the purposes of division A of subtitle III of title 54, United States Code, if—

“(A) the activity described in the application for that project has commenced not later than December 31, 2024;

“(B) the Federal financial assistance provided is in the form of a loan or loan guarantee; or

“(C) the Federal financial assistance provided, excluding any loan or loan guarantee, comprises not more than 10 percent of the total estimated cost of the project.

“(2) **SAVINGS CLAUSE.**—Nothing in this subsection may be construed as altering whether an activity described in subparagraph (A), (B), or (C) of paragraph (1) is considered to be a major Federal action under NEPA, or an undertaking under division A of subtitle III of title 54, United States Code, for a reason other than that the activity is eligible for Federal financial assistance provided under this section.”; and

(2) in section 9909 (15 U.S.C. 4659), by adding at the end the following:

“(c) **LEAD FEDERAL AGENCY AND COOPERATING AGENCIES.**—

“(1) **DEFINITION.**—In this subsection, the term ‘lead agency’ has the meaning given the term in section 111 of NEPA (42 U.S.C. 4336e).

“(2) **OPTION TO SERVE AS LEAD AGENCY.**—With respect to a covered activity that is a major Federal action under NEPA, and with respect to which the Department of Commerce is authorized or required by law to issue an authorization or take action for or relating to that covered activity, the Department of Commerce shall have the first right to serve as the lead agency with respect to that covered activity under NEPA.

“(d) **CATEGORICAL EXCLUSIONS.**—

“(1) **ESTABLISHMENT OF CATEGORICAL EXCLUSIONS.**—Each of the following categorical exclusions is established for the National Institute of Standards and Technology with respect to a covered activity and, beginning on the date of enactment of this subsection, is available for use by the Secretary with respect to a covered activity:

“(A) Categorical exclusion 17.04.d (relating to the acquisition of machinery and equipment) in the document entitled ‘EDA Program to Implement the National Environmental Policy Act of 1969 and Other Federal Environmental Mandates As Required’ (Directive No. 17.02-2; effective date October 14, 1992).

“(B) Categorical exclusion A9 in Appendix A to subpart D of part 1021 of title 10, Code of Federal Regulations, or any successor regulation.

“(C) Categorical exclusions B1.24, B1.31, B2.5, and B5.1 in Appendix B to subpart D of part 1021 of title 10, Code of Federal Regulations, or any successor regulation.

“(D) The categorical exclusions described in paragraphs (4) and (13) of section 50.19(b) of title 24, Code of Federal Regulations, or any successor regulation.

“(E) Categorical exclusion (c)(1) in Appendix B to part 651 of title 32, Code of Federal Regulations, or any successor regulation.

“(F) Categorical exclusions A2.3.8 and A2.3.14 in Appendix B to part 989 of title 32, Code of Federal Regulations, or any successor regulation.

“(2) ADDITIONAL CATEGORICAL EXCLUSIONS.—Notwithstanding any other provision of law, each of the following shall be treated as a category of action categorically excluded from the requirements relating to environmental assessments and environmental impact statements under section 1501.4 of title 40, Code of Federal Regulations, or any successor regulation:

“(A) The provision by the Secretary of any Federal financial assistance for a project described in section 9902, if the facility that is the subject of the project is on or adjacent to a site—

“(i) that is owned or leased by the covered entity to which Federal financial assistance is provided for that project; and

“(ii) on which, as of the date on which the Secretary provides that Federal financial assistance, substantially similar construction, expansion, or modernization is being or has been carried out, such that the facility would not more than double existing developed acreage or on-site supporting infrastructure.

“(B) The provision by the Secretary of Defense of any Federal financial assistance relating to—

“(i) the creation, expansion, or modernization of one or more facilities described in the second sentence of section 9903(a)(1); or

“(ii) carrying out section 9903(b), as in effect on the date of enactment of this subsection.

“(C) Any activity undertaken by the Secretary relating to carrying out section 9906, as in effect on the date of enactment of this subsection.

“(e) INCORPORATION OF PRIOR PLANNING DECISIONS.—

“(1) DEFINITION.—In this subsection, the term ‘prior studies and decisions’ means baseline data, planning documents, studies, analyses, decisions, and documentation that a Federal agency has completed for a project (or that have been completed under the laws and procedures of a State or Indian Tribe), including for determining the reasonable range of alternatives for that project.

“(2) RELIANCE ON PRIOR STUDIES AND DECISIONS.—In completing an environmental review under NEPA for a covered activity, the Secretary may consider and, as appropriate, rely on or adopt prior studies and decisions, if the Secretary determines that—

“(A) those prior studies and decisions meet the standards for an adequate statement, assessment, or determination under applicable procedures of the Department of Commerce implementing the requirements of NEPA;

“(B) in the case of prior studies and decisions completed under the laws and procedures of a State or Indian Tribe, those laws and procedures are of equal or greater rigor than those of each applicable Federal law, including NEPA, implementing procedures of the Department of Commerce; or

“(C) if applicable, the prior studies and decisions are informed by other analysis or documentation that would have been prepared if the prior studies and decisions were prepared by the Secretary under NEPA.

“(f) DEFINITIONS.—In this section:

“(1) COVERED ACTIVITY.—The term ‘covered activity’ means any activity relating to the construction, expansion, or modernization of a facility, the investment in which is eligible for Federal financial assistance under section 9902 or 9906.

“(2) NEPA.—The term ‘NEPA’ means the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).”

#### AUTHORITY FOR COMMITTEES TO MEET

Mr. SCHUMER. Madam President, I have four requests for committees to meet during today’s session of the Senate. They have the approval of the Majority and Minority Leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today’s session of the Senate:

##### COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions is authorized to meet during the session of the Senate on Thursday, December 14, 2023, at 10 a.m., to conduct a hearing.

##### COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Thursday, December 14, 2023, at 9 a.m., to conduct a business meeting.

##### COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Thursday, December 14, 2023, at 1 p.m., to conduct a hearing.

##### SPECIAL COMMITTEE ON AGING

The Special Committee on Aging is authorized to meet during the session of the Senate on Thursday, December 14, 2023, at 9:30 a.m., to conduct a hearing.

#### MEASURE READ THE FIRST TIME—H.R. 1147

Mr. SCHUMER. Mr. President, I understand there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The legislative clerk read as follows:

A bill (H.R. 1147) to amend the Richard B. Russell National School Lunch Act to allow schools that participate in the school lunch program under such Act to serve whole milk.

Mr. SCHUMER. Mr. President, I now ask for a second reading, and in order to place the bill on the calendar under

the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will receive its second reading on the next legislative day.

#### APPOINTMENTS

The PRESIDING OFFICER. The Chair announces, on behalf of the Republican Leader, pursuant to the provisions of Public Law 106-398, as amended by Public Law 108-7, and in consultation with the Ranking Members of the Senate Committee on Armed Services and the Senate Committee on Finance, the re-appointment of the following individuals to serve as members of the United States—China Economic and Security Review Commission: Honorable Randall Schriver of Virginia; and Aaron Friedberg of New Jersey.

#### REVISING EXISTING PROCEDURES ON REPORTING VIA TECHNOLOGY ACT

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 85, S. 474.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 474) to amend title 18, United States Code, to strengthen reporting to the CyberTipline related to online sexual exploitation of children, to modernize liabilities for such reports, to preserve the contents of such reports for 1 year, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

##### SECTION 1. SHORT TITLE.

*This Act may be cited as the “Revising Existing Procedures On Reporting via Technology Act” or the “REPORT Act”.*

##### SEC. 2. LIMITED LIABILITY MODERNIZATION.

(a) AMENDMENTS.—Section 2258B of title 18, United States Code, is amended—

(1) in the section heading, by striking “**providers or domain name registrars**” and inserting “**the reporting, storage, and handling of certain visual depictions of apparent child pornography to the National Center for Missing & Exploited Children**”;

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by inserting “or charge” after “a claim”; and

(B) in paragraph (2)(C), by striking “this section.”; and

(3) by adding at the end the following:

“(d) LIMITED LIABILITY FOR NCMEC-CONTRACTED VENDORS.—

“(1) IN GENERAL.—Except as provided in paragraph (2), a civil claim or criminal charge may not be brought in any Federal or State court against a vendor contractually retained and designated by NCMEC to support the duties of NCMEC under section 404(b)(1)(K) of the Juvenile Justice and Delinquency Prevention Act of 1974 (34 U.S.C. 11293(b)(1)(K)).

“(2) INTENTIONAL, RECKLESS, OR OTHER MISCONDUCT.—Paragraph (1) shall not apply to a claim or charge if the vendor—

“(A) engaged in—

“(i) intentional misconduct; or

“(ii) negligent conduct; or



“(B) acted, or failed to act—

“(i) with actual malice;

“(ii) with reckless disregard to a substantial risk of causing injury without legal justification; or

“(iii) for a purpose unrelated to the performance of any responsibility or function—

“(I) set forth in paragraph (1); or

“(II) pursuant to sections 2258A, 2258C, 2702, or 2703.

“(3) MINIMIZING ACCESS BY VENDOR.—With respect to any visual depiction provided pursuant to the duties of NCMEC under section 404(b)(1)(K) of the Juvenile Justice and Delinquency Prevention Act of 1974 (34 U.S.C. 11293(b)(1)(K)) that is stored or transferred by a vendor contractually retained and designated by NCMEC to support such duties of NCMEC, a vendor shall—

“(A) minimize the number of employees that may be able to obtain access to such visual depiction; and

“(B) employ end-to-end encryption for data storage and transfer functions, or an equivalent technological standard.

“(e) LIMITED LIABILITY FOR REPORTING APPARENT CHILD PORNOGRAPHY BY AN INDIVIDUAL DEPICTED IN THE CHILD PORNOGRAPHY AS A MINOR, OR A REPRESENTATIVE OF SUCH INDIVIDUAL.—

“(1) IN GENERAL.—Except as provided in paragraph (2), a civil claim or criminal charge may not be brought in any Federal or State court against an individual depicted in child pornography as a minor, or a representative of such individual, arising from a report to the NCMEC CyberTipline by the individual, or the representative of such individual, of information that relates to the child pornography in which the individual is depicted as a minor, including a copy of the child pornography.

“(2) INTENTIONAL, RECKLESS, OR OTHER MISCONDUCT.—Paragraph (1) shall not apply to a claim or charge if the individual, or the representative of such individual—

“(A) engaged in—

“(i) intentional misconduct;

“(ii) negligent conduct; or

“(iii) any activity which constitutes a violation of section 2251; or

“(B) acted, or failed to act—

“(i) with actual malice; or

“(ii) with reckless disregard to a substantial risk of causing injury without legal justification.

“(3) MINIMIZING ACCESS.—With respect to any child pornography reported to the NCMEC CyberTipline by an individual depicted in the child pornography as a minor, or a representative of such individual, NCMEC shall minimize access to the child pornography and ensure the appropriate deletion of the child pornography, as set forth in section 2258D.

“(4) DEFINITION.—For purposes of this subsection, the term ‘representative’, with respect to an individual depicted in child pornography—

“(A) means—

“(i) the parent or legal guardian of the individual, if the individual is under 18 years of age;

“(ii) the legal guardian or other person appointed by a court to represent the individual;

“(iii) a legal representative retained by the individual;

“(iv) a representative of the estate of the individual; or

“(v) a person who is a mandated reporter under section 226(a)(1) of the Victims of Child Abuse Act of 1990 (34 U.S.C. 20341(a)(1)); and

“(B) does not include a person who engaged in any activity which constitutes a violation of section 2251.”

(b) APPLICABILITY.—The amendments made by subsection (a) shall apply with respect to a civil claim or criminal charge that is filed on or after the date of enactment of this Act.

(c) TABLE OF SECTIONS AMENDMENT.—The table of sections for chapter 110 of title 18,

United States Code, is amended by striking the item relating to section 2258B and inserting the following:

“2258B. Limited liability for the reporting, storage, and handling of certain visual depictions of apparent child pornography to the National Center for Missing & Exploited Children.”

**SEC. 3. PRESERVATION OF REPORTS TO CYBERTIPLINE RELATED TO ONLINE SEXUAL EXPLOITATION OF CHILDREN.**

Section 2258A(h) of title 18, United States Code, is amended—

(1) in paragraph (1), by striking “90 days” and inserting “1 year”; and

(2) by adding at the end the following:

“(5) EXTENSION OF PRESERVATION.—A provider of a report to the CyberTipline under subsection (a)(1) may voluntarily preserve the contents provided in the report (including any co-mingled content described in paragraph (2)) for longer than 1 year after the submission to the CyberTipline for the purpose of reducing the proliferation of online child sexual exploitation or preventing the online sexual exploitation of children.

“(6) METHOD OF PRESERVATION.—Not later than 1 year after the date of enactment of this paragraph, a provider of a report to the CyberTipline under subsection (a)(1) shall preserve materials under this subsection in a manner that is consistent with the most recent version of the Cybersecurity Framework developed by the National Institute of Standards and Technology, or any successor thereto.”

**SEC. 4. STRENGTHENING OF DUTY TO REPORT APPARENT VIOLATIONS TO CYBERTIPLINE RELATED TO ONLINE EXPLOITATION OF CHILDREN.**

(a) AMENDMENTS.—Section 2258A of title 18, United States Code, is amended—

(1) in subsection (a)(2)(A), by inserting “, of section 1591 (if the violation involves a minor), or of 2422(b)” after “child pornography”; and

(2) in subsection (e)—

(A) in paragraph (1), by striking “\$150,000” and inserting “\$850,000 in the case of a provider with not less than 100,000,000 monthly active users or \$600,000 in the case of a provider with less than 100,000,000 monthly active users”; and

(B) in paragraph (2), by striking “\$300,000” and inserting “\$1,000,000 in the case of a provider with not less than 100,000,000 monthly active users or \$850,000 in the case of a provider with less than 100,000,000 monthly active users”.

(b) GUIDELINES.—Not later than 180 days after the date of enactment of this Act, the National Center for Missing & Exploited Children may issue guidelines, as appropriate, to providers required or permitted to take actions described in section 2258A(a)(1)(B) of title 18, United States Code, on the relevant identifiers for content that may indicate sex trafficking of children, as described in section 1591 of that title, or enticement, as described in section 2422(b) of that title.

Mr. WYDEN. Mr. President, I expect that the Senate will soon pass by unanimous consent the Blackburn-Ossoff REPORT Act. This bill will strengthen the Nation’s centralized reporting system for the online exploitation of children, operated by the National Center for Missing and Exploited Children, to better protect children from online sexual abuse and exploitation. Senators BLACKBURN and OSSOFF worked closely with me to make important changes to this bill to require that the upgraded CyberTipline be secured consistent with Federal cybersecurity best practices, so that hackers are not able to steal and then distribute the ex-

tremely sensitive images and videos documenting abuse that are stored in this system. I sincerely appreciate their partnership on this important issue.

Mr. SCHUMER. I ask unanimous consent that the committee-reported amendment be withdrawn; that the Blackburn substitute amendment at the desk be considered and agreed to; that the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

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

The committee-reported amendment in the nature of a substitute was withdrawn.

The amendment (No. 1377) in the nature of a substitute was agreed to, as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Revising Existing Procedures On Reporting via Technology Act” or the “REPORT Act”.

**SEC. 2. LIMITED LIABILITY MODERNIZATION.**

(a) AMENDMENTS.—Section 2258B of title 18, United States Code, is amended—

(1) in the section heading, by striking “providers or domain name registrars” and inserting “the reporting, storage, and handling of certain visual depictions of apparent child pornography to the National Center for Missing & Exploited Children”;

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by inserting “or charge” after “a claim”; and

(B) in paragraph (2)(C), by striking “this section,”; and

(3) by adding at the end the following:

“(d) LIMITED LIABILITY FOR NCMEC-CONTRACTED VENDORS.—

“(1) IN GENERAL.—Except as provided in paragraph (2), a civil claim or criminal charge may not be brought in any Federal or State court against a vendor contractually retained and designated by NCMEC to support the duties of NCMEC under section 404(b)(1)(K) of the Juvenile Justice and Delinquency Prevention Act of 1974 (34 U.S.C. 11293(b)(1)(K)).

“(2) INTENTIONAL, RECKLESS, OR OTHER MISCONDUCT.—Paragraph (1) shall not apply to a claim or charge if the vendor—

“(A) engaged in—

“(i) intentional misconduct; or

“(ii) negligent conduct; or

“(B) acted, or failed to act—

“(i) with actual malice;

“(ii) with reckless disregard to a substantial risk of causing injury without legal justification; or

“(iii) for a purpose unrelated to the performance of any responsibility or function—

“(I) set forth in paragraph (1); or

“(II) pursuant to sections 2258A, 2258C, 2702, or 2703.

“(3) VENDOR CYBERSECURITY REQUIREMENTS.—With respect to any visual depiction provided pursuant to the duties of NCMEC under section 404(b)(1)(K) of the Juvenile Justice and Delinquency Prevention Act of 1974 (34 U.S.C. 11293(b)(1)(K)) that is stored or transferred by a vendor contractually retained and designated by NCMEC to support such duties of NCMEC, a vendor shall—

“(A) secure such visual depiction in a manner that is consistent with the most recent

version of the Cybersecurity Framework developed by the National Institute of Standards and Technology, or any successor thereto;

“(B) minimize the number of employees that may be able to obtain access to such visual depiction;

“(C) employ end-to-end encryption for data storage and transfer functions, or an equivalent technological standard;

“(D) undergo an independent annual cybersecurity audit to determine whether such visual depiction is secured as required under subparagraph (A); and

“(E) promptly address all issues identified by an audit described in subparagraph (D).

“(e) LIMITED LIABILITY FOR REPORTING APPARENT CHILD PORNOGRAPHY BY AN INDIVIDUAL DEPICTED IN THE CHILD PORNOGRAPHY AS A MINOR, OR A REPRESENTATIVE OF SUCH INDIVIDUAL.—

“(1) IN GENERAL.—Except as provided in paragraph (2), a civil claim or criminal charge may not be brought in any Federal or State court against an individual depicted in child pornography as a minor, or a representative of such individual, arising from a report to the NCMEC CyberTipline by the individual, or the representative of such individual, of information that relates to the child pornography in which the individual is depicted as a minor, including a copy of the child pornography.

“(2) INTENTIONAL, RECKLESS, OR OTHER MISCONDUCT.—Paragraph (1) shall not apply to a claim or charge if the individual, or the representative of such individual—

“(A) engaged in—

“(i) intentional misconduct;

“(ii) negligent conduct; or

“(iii) any activity which constitutes a violation of section 2251; or

“(B) acted, or failed to act—

“(i) with actual malice; or

“(ii) with reckless disregard to a substantial risk of causing injury without legal justification.

“(3) MINIMIZING ACCESS.—With respect to any child pornography reported to the NCMEC CyberTipline by an individual depicted in the child pornography as a minor, or a representative of such individual, NCMEC shall minimize access to the child pornography and ensure the appropriate deletion of the child pornography, as set forth in section 2258D.

“(4) DEFINITION.—For purposes of this subsection, the term ‘representative’, with respect to an individual depicted in child pornography—

“(A) means—

“(i) the parent or legal guardian of the individual, if the individual is under 18 years of age;

“(ii) the legal guardian or other person appointed by a court to represent the individual;

“(iii) a legal representative retained by the individual;

“(iv) a representative of the estate of the individual; or

“(v) a person who is a mandated reporter under section 226(a)(1) of the Victims of Child Abuse Act of 1990 (34 U.S.C. 20341(a)(1)); and

“(B) does not include a person who engaged in any activity which constitutes a violation of section 2251.”.

(b) APPLICABILITY.—The amendments made by subsection (a) shall apply with respect to a civil claim or criminal charge that is filed on or after the date of enactment of this Act.

(c) TABLE OF SECTIONS AMENDMENT.—The table of sections for chapter 110 of title 18, United States Code, is amended by striking the item relating to section 2258B and inserting the following:

“2258B. Limited liability for the reporting, storage, and handling of certain visual depictions of apparent child pornography to the National Center for Missing & Exploited Children.”.

**SEC. 3. PRESERVATION OF REPORTS TO CYBERTIPLINE RELATED TO ONLINE SEXUAL EXPLOITATION OF CHILDREN.**

Section 2258A(h) of title 18, United States Code, is amended—

(1) in paragraph (1), by striking “90 days” and inserting “1 year”; and

(2) by adding at the end the following:

“(5) EXTENSION OF PRESERVATION.—A provider of a report to the CyberTipline under subsection (a)(1) may voluntarily preserve the contents provided in the report (including any comingled content described in paragraph (2)) for longer than 1 year after the submission to the CyberTipline for the purpose of reducing the proliferation of online child sexual exploitation or preventing the online sexual exploitation of children.

“(6) METHOD OF PRESERVATION.—Not later than 1 year after the date of enactment of this paragraph, a provider of a report to the CyberTipline under subsection (a)(1) shall preserve materials under this subsection in a manner that is consistent with the most recent version of the Cybersecurity Framework developed by the National Institute of Standards and Technology, or any successor thereto.”.

**SEC. 4. STRENGTHENING OF DUTY TO REPORT APPARENT VIOLATIONS TO CYBERTIPLINE RELATED TO ONLINE EXPLOITATION OF CHILDREN.**

(a) AMENDMENTS.—Section 2258A of title 18, United States Code, is amended—

(1) in subsection (a)(2)(A), by inserting “, of section 1591 (if the violation involves a minor), or of 2422(b)” after “child pornography”; and

(2) in subsection (e)—

(A) in paragraph (1), by striking “\$150,000” and inserting “\$850,000 in the case of a provider with not less than 100,000,000 monthly active users or \$600,000 in the case of a provider with less than 100,000,000 monthly active users”; and

(B) in paragraph (2), by striking “\$300,000” and inserting “\$1,000,000 in the case of a provider with not less than 100,000,000 monthly active users or \$850,000 in the case of a provider with less than 100,000,000 monthly active users”.

(b) GUIDELINES.—Not later than 180 days after the date of enactment of this Act, the National Center for Missing & Exploited Children may issue guidelines, as appropriate, to providers required or permitted to take actions described in section 2258A(a)(1)(B) of title 18, United States Code, on the relevant identifiers for content that may indicate sex trafficking of children, as described in section 1591 of that title, or enticement, as described in section 2422(b) of that title.

The bill (S. 474), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

**KEWEENAW BAY INDIAN COMMUNITY LAND CLAIM SETTLEMENT ACT OF 2023**

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 272, S. 195.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 195) to provide compensation to the Keweenaw Bay Indian Community for the taking without just compensation of land by the United States inside the exterior boundaries of the L'Anse Indian Reservation that were guaranteed to the Community under a treaty signed in 1854, and for other purposes.

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

Mr. SCHUMER. I further ask consent that the bill be considered read a third time and passed, and that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The bill (S. 195) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 195

*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 “Keweenaw Bay Indian Community Land Claim Settlement Act of 2023”.

**SEC. 2. FINDINGS.**

Congress finds that—

(1) the Keweenaw Bay Indian Community is a federally recognized Indian Tribe residing on the L'Anse Indian Reservation in Baraga County in the Upper Peninsula of the State of Michigan;

(2) the Community is a successor in interest to the Treaty with the Chippewa Indians of the Mississippi and Lake Superior, made and concluded at La Pointe of Lake Superior October 4, 1842 (7 Stat. 591) (referred to in this section as the “1842 Treaty”), which, among other things, guaranteed the usufructuary rights of the Community over a large area of land that was ceded to the United States, until such time that those usufructuary rights were properly and legally extinguished;

(3) the Community is also a successor in interest to the Treaty with the Chippewa Indians of Lake Superior and the Mississippi, made and concluded at La Pointe September 30, 1854 (10 Stat. 1109) (referred to in this section as the “1854 Treaty”);

(4) article 2, paragraph 1 of the 1854 Treaty created the L'Anse Indian Reservation as a permanent reservation;

(5) pursuant to article 13 of the 1854 Treaty, the 1854 Treaty became “obligatory on the contracting parties” when ratified by the President and the Senate on January 10, 1855;

(6) in 1850, Congress enacted the Act of September 28, 1850 (commonly known and referred to in this section as the “Swamp Land Act”) (9 Stat. 519, chapter 84), which authorized the State of Arkansas and other States, including the State of Michigan, to “construct the necessary levees and drains to reclaim” certain unsold “swamp and overflowed lands, made unfit thereby for cultivation” and stating that those lands “shall remain unsold at the passage of this act . . .”;

(7) following enactment of the Swamp Land Act, the State claimed thousands of acres of swamp land in the State pursuant to that Act;

(8) between 1893 and 1937, the General Land Office patented 2,743 acres of land to the State that were located within the exterior boundaries of the Reservation (referred to in this section as “Reservation Swamp Lands”);

(9) the right of the Community to use and occupy the unsold land within the Reservation had not been extinguished when the

United States patented the Reservation Swamp Lands to the State;

(10) in 1852, Congress enacted the Act of August 26, 1852 (10 Stat. 35, chapter 92) (referred to in this section as the “Canal Land Act”), to facilitate the building of the Sault Ste. Marie Canal at the Falls of the St. Mary’s River, to connect Lake Superior to Lake Huron;

(11) pursuant to the Canal Land Act, the United States granted the State the right to select 750,000 acres of unsold public land within the State to defray the cost of construction of the Sault Ste. Marie Canal;

(12) the State identified and selected, among other land, a minimum of 1,333.25 and up to 2,720 acres within the exterior boundaries of the Reservation (referred to in this section as the “Reservation Canal Lands”);

(13) the Department of the Interior approved the land selections of the State, including the Reservation Canal Lands, after ratification of the 1854 Treaty;

(14) the Secretary noted that the approval described in paragraph (13) was “subject to any valid interfering rights”;

(15) the 1854 Treaty set apart from the public domain all unsold land within the Reservation to the Community as of September 30, 1854, which preceded the date on which the State established legally effective title to the Reservation Canal Lands;

(16) the Community made claims to the Department of the Interior with respect to the Reservation Swamp Lands and the Reservation Canal Lands, providing legal analysis and ethnohistorical support for those claims;

(17) in December 2021, the Department of the Interior stated that “We have carefully reviewed pertinent documents, including the Tribe’s expert reports, and have determined that the Tribe’s claims to the Swamp Lands and Canal Lands have merit”;

(18) the United States, through the actions of the General Land Office, deprived the Community of the exclusive use and occupancy of the Reservation Swamp Lands and the Reservation Canal Lands within the Reservation, without just compensation as required under the Takings Clause of the Fifth Amendment to the Constitution of the United States;

(19) the loss of the Reservation Swamp Lands and the Reservation Canal Lands without just compensation has—

(A) impacted the exercise by the Community of cultural, religious, and subsistence rights on the land;

(B) caused a harmful disconnect between the Community and its land;

(C) impacted the ability of the Community to fully exercise its economy within the Reservation; and

(D) had a negative economic impact on the development of the economy of the Community;

(20) certain non-Indian individuals, entities, and local governments occupy land within the boundaries of the Reservation—

(A) acquired ownership interests in the Reservation Swamp Lands and the Reservation Canal Lands in good faith; and

(B) have an interest in possessing clear title to that land;

(21) this Act allows the United States—

(A) to secure a fair and equitable settlement of past inequities suffered by the Community as a result of the actions of the United States that caused the taking of the Reservation Swamp Lands and the Reservation Canal Lands without just compensation; and

(B) to ensure protection of the ownership of the Reservation Swamp Lands and the Reservation Canal Lands by non-Indian occupants of the Reservation, through the settlement of the claims of the Community to

that land, and through that action, the relief of any clouds on title;

(22) a settlement will allow the Community to receive just compensation and the local landowners to obtain clear title to land, without long and protracted litigation that would be both costly and detrimental to all involved; and

(23) this Act achieves both justice for the Community and security for current landowners through a restorative and non-confrontational process.

### SEC. 3. PURPOSES.

The purposes of this Act are—

(1) to acknowledge the uncompensated taking by the Federal Government of the Reservation Swamp Lands and the Reservation Canal Lands;

(2) to provide compensation to the Community for the uncompensated taking of the Reservation Swamp Lands and the Reservation Canal Lands by the Federal Government;

(3) to extinguish all claims by the Community to the Reservation Swamp Lands and the Reservation Canal Lands and to confirm the ownership by the current landowners of the Reservation Swamp Lands and the Reservation Canal Lands, who obtained that land in good faith;

(4) to extinguish all potential claims by the Community against the United States, the State, and current landowners concerning title to, use of, or occupancy of the Reservation Swamp Lands and the Reservation Canal Lands; and

(5) to authorize the Secretary—

(A) to compensate the Community; and

(B) to take any other action necessary to carry out this Act.

### SEC. 4. DEFINITIONS.

In this Act:

(1) **COMMUNITY.**—The term “Community” means the Keweenaw Bay Indian Community.

(2) **COUNTY.**—The term “County” means Baraga County, Michigan.

(3) **RESERVATION.**—The term “Reservation” means the L’Anse Indian Reservation, located in—

(A) T. 51 N., R. 33 W.;

(B) T. 51 N., R. 32 W.;

(C) T. 50 N., R. 33 W., E½;

(D) T. 50 N., R. 32 W., W½; and

(E) that portion of T. 51 N., R. 31 W. lying west of Huron Bay.

(4) **RESERVATION CANAL LANDS.**—The term “Reservation Canal Lands” means the 1,333.25 to 2,720 acres of Community land located within the exterior boundaries of the Reservation that the Federal Government conveyed to the State pursuant to the Act of August 26, 1852 (10 Stat. 35, chapter 92).

(5) **RESERVATION SWAMP LANDS.**—The term “Reservation Swamp Lands” means the 2,743 acres of land located within the exterior boundaries of the Reservation that the Federal Government conveyed to the State between 1893 and 1937 pursuant to the Act of September 28, 1850 (commonly known as the “Swamp Land Act”) (sections 2479 through 2481 of the Revised Statutes (43 U.S.C. 982 through 984)).

(6) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

(7) **STATE.**—The term “State” means the State of Michigan.

### SEC. 5. PAYMENTS.

(a) **TRANSFER OF FUNDS.**—As soon as practicable after the date on which the amount authorized to be appropriated under subsection (c) is made available to the Secretary, the Secretary shall transfer \$33,900,000 to the Community.

(b) **USE OF FUNDS.**—

(1) **IN GENERAL.**—Subject to paragraph (2), the Community may use the amount re-

ceived under subsection (a) for any lawful purpose, including—

(A) governmental services;

(B) economic development;

(C) natural resources protection; and

(D) land acquisition.

(2) **RESTRICTION ON USE OF FUNDS.**—The community may not use the amount received under subsection (a) to acquire land for gaming purposes.

(c) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to the Secretary to carry out subsection (a) \$33,900,000 for fiscal year 2024, to remain available until expended.

### SEC. 6. EXTINGUISHMENT OF CLAIMS.

(a) **IN GENERAL.**—Effective on the date on which the Community receives the payment under section 5(a), all claims of the Community to the Reservation Swamp Lands and the Reservation Canal Lands owned by persons or entities other than the Community are extinguished.

(b) **CLEAR TITLE.**—Effective on the date on which the Community receives the payment under section 5(a), the title of all current owners to the Reservation Swamp Lands and the Reservation Canal Lands is cleared of all preexisting rights held by the Community and any of the members of the Community.

### SEC. 7. EFFECT.

Nothing in this Act authorizes—

(1) the Secretary to take land into trust for the benefit of the Community for gaming purposes; or

(2) the Community to use land acquired using amounts received under this Act for gaming purposes.

## NATIONAL GUARD AND RESERVISTS DEBT RELIEF EXTENSION ACT OF 2023

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 3315, which was received from the House and is at the desk.

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

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 3315) to exempt for an additional 4-year period, from the application of the means-test presumption of abuse under chapter 7, qualifying members of reserve components of the Armed Forces and members of the National Guard who, after September 11, 2001, are called to active duty or to perform a homeland defense activity for not less than 90 days.

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

Mr. SCHUMER. I further 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. 3315) was ordered to a third reading, was read the third time, and passed.

## BUILDING CHIPS IN AMERICA ACT OF 2023

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be discharged from further consideration of S. 2228 and the Senate

proceed to its immediate consideration.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 2228) to amend the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 to clarify the scope of a major Federal action under the National Environmental Policy Act of 1969 with respect to certain projects relating to the production of semiconductors, and for other purposes.

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

Mr. SCHUMER. I ask unanimous consent that the Kelly-Cruz substitute amendment at the desk be considered and agreed to; that the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

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

The amendment (No. 1378) in the nature of a substitute was agreed to as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Building Chips in America Act of 2023”.

#### SEC. 2. SEMICONDUCTOR PROGRAM.

Title XCIX of division H of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (15 U.S.C. 4651 et seq.) is amended—

(1) in section 9902 (15 U.S.C. 4652)—

(A) by redesignating subsections (h) and (i) as subsections (i) and (j), respectively; and

(B) by inserting after subsection (g) the following:

“(h) AUTHORITY RELATING TO ENVIRONMENTAL REVIEW.—

“(1) IN GENERAL.—Notwithstanding any other provision of law, the provision by the Secretary of Federal financial assistance for a project described in this section that satisfies the requirements under subsection (a)(2)(C)(i) of this section shall not be considered to be a major Federal action under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) (referred to in this subsection as ‘NEPA’) or an undertaking for the purposes of division A of subtitle III of title 54, United States Code, if—

“(A) the activity described in the application for that project has commenced not later than December 31, 2024;

“(B) the Federal financial assistance provided is in the form of a loan or loan guarantee; or

“(C) the Federal financial assistance provided, excluding any loan or loan guarantee, comprises not more than 10 percent of the total estimated cost of the project.

“(2) SAVINGS CLAUSE.—Nothing in this subsection may be construed as altering whether an activity described in subparagraph (A), (B), or (C) of paragraph (1) is considered to be a major Federal action under NEPA, or an undertaking under division A of subtitle III of title 54, United States Code, for a reason other than that the activity is eligible for Federal financial assistance provided under this section.”; and

(2) in section 9909 (15 U.S.C. 4659), by adding at the end the following:

“(c) LEAD FEDERAL AGENCY AND COOPERATING AGENCIES.—

“(1) DEFINITION.—In this subsection, the term ‘lead agency’ has the meaning given

the term in section 111 of NEPA (42 U.S.C. 4336e).

“(2) OPTION TO SERVE AS LEAD AGENCY.—With respect to a covered activity that is a major Federal action under NEPA, and with respect to which the Department of Commerce is authorized or required by law to issue an authorization or take action for or relating to that covered activity, the Department of Commerce shall have the first right to serve as the lead agency with respect to that covered activity under NEPA.

“(d) CATEGORICAL EXCLUSIONS.—

“(1) ESTABLISHMENT OF CATEGORICAL EXCLUSIONS.—Each of the following categorical exclusions is established for the National Institute of Standards and Technology with respect to a covered activity and, beginning on the date of enactment of this subsection, is available for use by the Secretary with respect to a covered activity:

“(A) Categorical exclusion 17.04.d (relating to the acquisition of machinery and equipment) in the document entitled ‘EDA Program to Implement the National Environmental Policy Act of 1969 and Other Federal Environmental Mandates As Required’ (Directive No. 17.02-2; effective date October 14, 1992).

“(B) Categorical exclusion A9 in Appendix A to subpart D of part 1021 of title 10, Code of Federal Regulations, or any successor regulation.

“(C) Categorical exclusions B1.24, B1.31, B2.5, and B5.1 in Appendix B to subpart D of part 1021 of title 10, Code of Federal Regulations, or any successor regulation.

“(D) The categorical exclusions described in paragraphs (4) and (13) of section 50.19(b) of title 24, Code of Federal Regulations, or any successor regulation.

“(E) Categorical exclusion (c)(1) in Appendix B to part 651 of title 32, Code of Federal Regulations, or any successor regulation.

“(F) Categorical exclusions A2.3.8 and A2.3.14 in Appendix B to part 989 of title 32, Code of Federal Regulations, or any successor regulation.

“(2) ADDITIONAL CATEGORICAL EXCLUSIONS.—Notwithstanding any other provision of law, each of the following shall be treated as a category of action categorically excluded from the requirements relating to environmental assessments and environmental impact statements under section 1501.4 of title 40, Code of Federal Regulations, or any successor regulation:

“(A) The provision by the Secretary of any Federal financial assistance for a project described in section 9902, if the facility that is the subject of the project is on or adjacent to a site—

“(i) that is owned or leased by the covered entity to which Federal financial assistance is provided for that project; and

“(ii) on which, as of the date on which the Secretary provides that Federal financial assistance, substantially similar construction, expansion, or modernization is being or has been carried out, such that the facility would not more than double existing developed acreage or on-site supporting infrastructure.

“(B) The provision by the Secretary of Defense of any Federal financial assistance relating to—

“(i) the creation, expansion, or modernization of one or more facilities described in the second sentence of section 9903(a)(1); or

“(ii) carrying out section 9903(b), as in effect on the date of enactment of this subsection.

“(C) Any activity undertaken by the Secretary relating to carrying out section 9906, as in effect on the date of enactment of this subsection.

“(e) INCORPORATION OF PRIOR PLANNING DECISIONS.—

“(1) DEFINITION.—In this subsection, the term ‘prior studies and decisions’ means baseline data, planning documents, studies, analyses, decisions, and documentation that a Federal agency has completed for a project (or that have been completed under the laws and procedures of a State or Indian Tribe), including for determining the reasonable range of alternatives for that project.

“(2) RELIANCE ON PRIOR STUDIES AND DECISIONS.—In completing an environmental review under NEPA for a covered activity, the Secretary may consider and, as appropriate, rely on or adopt prior studies and decisions, if the Secretary determines that—

“(A) those prior studies and decisions meet the standards for an adequate statement, assessment, or determination under applicable procedures of the Department of Commerce implementing the requirements of NEPA;

“(B) in the case of prior studies and decisions completed under the laws and procedures of a State or Indian Tribe, those laws and procedures are of equal or greater rigor than those of each applicable Federal law, including NEPA, implementing procedures of the Department of Commerce; or

“(C) if applicable, the prior studies and decisions are informed by other analysis or documentation that would have been prepared if the prior studies and decisions were prepared by the Secretary under NEPA.

“(f) DEFINITIONS.—In this section:

“(1) COVERED ACTIVITY.—The term ‘covered activity’ means any activity relating to the construction, expansion, or modernization of a facility, the investment in which is eligible for Federal financial assistance under section 9902 or 9906.

“(2) NEPA.—The term ‘NEPA’ means the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).”

The bill (S. 2228), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

PROVIDING FOR THE REAPPOINTMENT OF MICHAEL GOVAN AS A CITIZEN REGENT OF THE BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION

PROVIDING FOR THE APPOINTMENT OF ANTOINETTE BUSH AS A CITIZEN REGENT OF THE BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION

PROVIDING FOR THE REAPPOINTMENT OF ROGER W. FERGUSON AS A CITIZEN REGENT OF THE BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be discharged from further consideration of the following joint resolutions and the Senate proceed to their immediate consideration en bloc: H.J. Res. 62, H.J. Res. 63, H.J. Res. 64.

There being no objection, the committee was discharged, and the Senate proceeded to consider the joint resolutions en bloc.

Mr. SCHUMER. I ask unanimous consent that the joint resolutions be considered read a third time en bloc.

The joint resolutions were ordered to a third reading and were read the third time en bloc.

Mr. SCHUMER. I know of no further debate on the joint resolutions en bloc.

The PRESIDING OFFICER. The joint resolutions having been read the third time, the question is, Shall the joint resolutions pass en bloc?

The joint resolutions (H.J. Res. 62, H.J. Res. 63, and H.J. Res. 64) were passed en bloc.

Mr. SCHUMER. I ask unanimous consent that the motions to reconsider be considered made and laid upon the table en bloc.

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

**PUYALLUP TRIBE OF INDIANS LAND INTO TRUST CONFIRMATION ACT OF 2023**

Mr. SCHUMER. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of Calendar No. 273, S. 382.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:  
A bill (S. 382) to take certain land in the State of Washington into trust for the benefit of the Puyallup Tribe of the Puyallup Reservation, and for other purposes.

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

Mr. SCHUMER. I further ask consent that the bill be considered read a third time and passed, the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The bill (S. 382) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:  
S. 382

*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 “Puyallup Tribe of Indians Land Into Trust Confirmation Act of 2023”.

**SEC. 2. LAND TO BE TAKEN INTO TRUST FOR THE BENEFIT OF THE PUYALLUP TRIBE OF THE PUYALLUP RESERVATION.**

(a) IN GENERAL.—The approximately 17,264 acres of land owned in fee by the Puyallup Tribe of the Puyallup Reservation in Pierce County, Washington, and described in subsection (b) is hereby taken into trust by the United States for the benefit of the Puyallup Tribe of the Puyallup Reservation.

(b) LAND DESCRIPTIONS.—

(1) PARCEL 1.—Lots 1 to 4, inclusive, Block 85, Map of Tacoma Tidelands, as surveyed and platted by the Board of Appraisers of Tide and Shore Lands for Pierce County, according to Plat filed for record on September 14, 1895, in the Office of the County Auditor, in Tacoma, Pierce County, Washington.

(2) PARCEL 2.—Lots 5 to 9, inclusive, Block 85, Map of Tacoma Tidelands, as surveyed and platted by the Board of Appraisers of Tide and Shore Lands for Pierce County, according to Plat filed for record on September 14, 1895, in the Office of the County Auditor, in Tacoma, Pierce County, Washington.

(3) PARCEL 3.—Parcel A of City of Tacoma Boundary Line Adjustment MPD2011–

40000166230, recorded October 12, 2011, under Pierce County Auditor Recording No. 201110125009, as corrected by Affidavit of Minor Correction of Map Recorded September 25, 2012, under Pierce County Auditor Recording No. 201209250440.

(c) ADMINISTRATION.—Land taken into trust under subsection (a) shall be—

(1) part of the Reservation of the Puyallup Tribe of the Puyallup Reservation; and

(2) administered in accordance with the laws and regulations generally applicable to property held in trust by the United States for the benefit of an Indian Tribe.

(d) ENVIRONMENTAL LIABILITY.—Notwithstanding any other provision of law, the United States shall not be liable for any environmental contamination that occurred on the land described in subsection (b) on or before the date on which that land is taken into trust under subsection (a).

(e) GAMING PROHIBITED.—Land taken into trust under subsection (a) shall not be used for any class II gaming or class III gaming under the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.) (as those terms are defined in section 4 of that Act (25 U.S.C. 2703)).

**CELEBRATING THE 150TH ANNIVERSARY OF THE FOUNDING OF TEXAS CHRISTIAN UNIVERSITY**

**NATIONAL ATAXIA AWARENESS DAY**

**RECOGNIZING INTERSCHOLASTIC ATHLETIC ADMINISTRATORS' DAY ON DECEMBER 14, 2023**

**RECOGNIZING THE FIRST COMMEMORATION OF THE ANTI-LGBTQ+ ATTACK THAT OCCURRED ON NOVEMBER 19–20, 2022, AT CLUB Q, AN LGBTQ+ BAR IN COLORADO SPRINGS, COLORADO**

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of S. Res. 453, and the Senate proceed to the en bloc consideration of the following resolutions: S. Res. 507, S. Res. 508, S. Res. 509, and S. Res. 453.

There being no objection, the committee was discharged, and the Senate proceeded to consider the resolutions en bloc.

Mr. SCHUMER. I ask unanimous consent that the resolutions be agreed to; that the preambles be agreed to; and that the motions to reconsider be considered made and laid upon the table, all en bloc.

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

The resolution (S. Res. 453) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of November 7, 2023, under “Submitted Resolutions.”)

The resolutions (S. Res. 507, S. Res. 508, S. Res. 509) were agreed to.

The preambles were agreed to.

(The resolutions, with their preambles, are printed in today’s RECORD under “Submitted Resolutions.”)

**ORDERS FOR MONDAY, DECEMBER 18, 2023**

Mr. SCHUMER. Finally, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 3 p.m. on Monday, December 18; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; that upon the conclusion of morning business, the Senate proceed to executive session to consider Executive Calendar No. 415, Martin O’Malley to be Commissioner of Social Security, and that the Senate vote on confirmation of the nomination at 5:30 p.m.; further, that on disposition of the O’Malley nomination, the Senate resume consideration of the Fonzone nomination; finally, that if any nominations are confirmed during Monday’s session, the motions to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate’s action.

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

**ADJOURNMENT UNTIL MONDAY, DECEMBER 18, 2023, AT 3 P.M.**

Mr. SCHUMER. Mr. President, if there is no further business to come before the Senate, I ask that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:09 p.m., adjourned until Monday, December 18, 2023, at 3 p.m.

**NOMINATIONS**

Executive nominations received by the Senate:

**IN THE AIR FORCE**

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be brigadier general*

COL. ERICA R. AUSTIN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be brigadier general*

- COL. KOREY E. AMUNDSON
- COL. AMANDA S. BIRCH
- COL. RANDALL W. CASON, JR.
- COL. RICHARD A. ERREDGE
- COL. ERIKA A. FOSTER
- COL. CHRISTOPHER J. HOBBS
- COL. ROBERT E. JACKSON, JR.
- COL. FRANK R. KINCAID
- COL. CHRISTOPHER T. LAY
- COL. MICHAEL M. MODDING
- COL. JOSHUA G. PADGETT
- COL. BRETT R. PAOLA
- COL. JANETTE L. THODE
- COL. TIMOTHY M. WELTER
- COL. NATHAN D. YATES
- COL. CHRISTOPHER M. ZIDEK

**IN THE ARMY**

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be major general*

BRIG. GEN. PATRICIA R. WALLACE

**IN THE MARINE CORPS**

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be major general*

BRIG. GEN. DOUGLAS K. CLARK

BRIG. GEN. SEAN N. DAY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be brigadier general*

COL. WILLIAM T. WILBURN, JR.

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be brigadier general*

COL. THOMAS M. ARMAS  
COL. DANIEL B. TAYLOR  
COL. PATRICK F. TIERNAN

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

*To be colonel*

THOMAS P. PARSHALL

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

*To be colonel*

REGAN C. REYNOLDS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

*To be colonel*

RYAN L. VENEBERG

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 7064:

*To be lieutenant colonel*

HABIBATU A. MOJIDI

DEPARTMENT OF STATE

LISA A. JOHNSON, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE LEBANESE REPUBLIC.

THE JUDICIARY

JERRY EDWARDS, JR., OF LOUISIANA, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF LOUISIANA.

BRANDON S. LONG, OF LOUISIANA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF LOUISIANA.

HARRY S TRUMAN SCHOLARSHIP FOUNDATION

TODD GLORIA, OF CALIFORNIA, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE HARRY S TRUMAN SCHOLARSHIP FOUNDATION FOR A TERM EXPIRING DECEMBER 10, 2023.

TODD GLORIA, OF CALIFORNIA, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE HARRY S TRUMAN SCHOLARSHIP FOUNDATION FOR A TERM EXPIRING DECEMBER 10, 2029.

CONFIRMATIONS

Executive nominations confirmed by the Senate December 14, 2023: