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Senate

The Senate met at 3 p.m. and was called to order by the Honorable PETER WELCH, a Senator from the State of Vermont.

PRAYER

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

Let us pray.

O God of time and eternity, we come to You not because we are perfect but because we trust Your mercy, power, and grace. By Your grace we are able to triumph over evil, living no longer for ourselves but for You.

Lord, give our Senators a vision of the goals that produce righteousness, honor, justice, and peace. Empower them to serve the marginalized, to bear the burdens of freedom, and to labor for Your glory. Give them the gifts of Your light, love, and laughter.

Lord, we are grateful for our new page class, and we thank You for the exemplary life and legacy of Bobbi Bar-rasso.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

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

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, January 30, 2024.

To the Senate:

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

appoint the Honorable PETER WELCH, a Senator from the State of Vermont, to perform the duties of the Chair.

PATTY MURRAY,
President pro tempore.

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

RESERVATION OF LEADER TIME

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

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

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 legislative clerk read the nomination Joshua Paul Kolar, of Indiana, to be United States Circuit Judge for the Seventh Circuit.

RECOGNITION OF THE MAJORITY LEADER

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

SUPPLEMENTAL FUNDING

Mr. SCHUMER. Mr. President, all through the weekend, negotiators continued their work on the national security supplemental. We are approaching the finish line, but the work is not done. We will continue to finish the supplemental. We will do everything we can to get the supplemental done because, for all the day-to-day intrigue, the big picture has not changed: This is an inflection point in history, where the balance of power in Europe,

the future of Israel in the Middle East, and the fate of the Indo-Pacific hang in the balance. And, for the first time in over a decade, we have a golden opportunity to make meaningful, lasting changes to the southern border—the best chance we will likely have in a good while. So we have an obligation to the American people to get something done.

Now, Republicans in the House and Senate have insisted for years that Congress must make border security a top priority. The speeches, statements, op-eds, and tweets that Republicans have issued on border legislation could fill entire libraries. And we Democrats agree. We want to get something done on the border. We have negotiated with our Republican counterparts for months to get something done.

Look, it is entirely unsurprising and truly disappointing, at the same time, that many on the hard right, including Donald Trump, are now trying to thwart this bipartisan effort for the sake of electoral politics. But here in the Senate, both sides have an obligation to tune the partisan noise out and to continue working. Bipartisanship is the only way that action on the border is going to happen, that aid to Ukraine will be secured, that help to Israel and to the Indo-Pacific and aid to innocent civilians in Gaza will happen.

So for all the noise and partisan posturing, the big picture here does not change. The Senate will continue working on the supplemental this week. We know this is hard—very hard—but Democrats and Republicans in this Chamber have an obligation to tune out the outside noise and finish the work of protecting our national security.

ABORTION

Mr. President, now on the Texas Pregnancy Study, last week, on what should have been the 51st anniversary of Roe v. Wade, I called the decision to overturn Roe one of the worst, most damaging decisions for Americans in modern history.

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



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Just a couple of days later, a horrifying new study was released in the *Journal of the American Medical Association*, showing the devastating effects of the Roe reversal for women in America. According to this study, the State of Texas alone saw over 26,000 rape-related pregnancies in the year and a half since Texas outlawed all abortions, with zero exceptions for rape.

Let me say that again because the results are staggering, confounding, frightening: According to a new study in the *Journal of the American Medical Association*, the State of Texas alone saw over 26,000 rape-related pregnancies in the year and a half since Texas outlawed all abortions, and they have zero exceptions for rape.

There are over 58,000 total rape-related pregnancies in States with total abortion bans and zero exceptions for rape.

The numbers from this study are shocking. They are heartbreaking. And it is all the more maddening because the hard-right abortion restrictions in Texas are as cruel as they come: forced pregnancies, no exception for rape, no exception for incest.

Not long ago, the abortion restrictions in Texas would have been considered on the fringe of the fringe. Today, sadly, it is a reality for women in post-Roe America.

Make no mistake about it—an America where abortion is outlawed with zero exceptions is precisely—precisely—what the hard right wants. The hard right doesn't care about exceptions, even for rape or incest. They want the freedom of choice to be extinct, period—no ands, ifs, or buts. Democrats will never let that stand. We will never stop fighting to protect a woman's right to choose. And Republicans won't be able to run from this horror they created later this year when the American people go to the polls.

THE ECONOMY

Mr. President, now on the economy, the outlook for the American economy continues to get brighter and brighter under the leadership of President Biden and Democrats here in Congress.

Last week, a report showed that consumer sentiment surged by nearly 30 percent over the last 2 months. And Americans received even more good news this week. The American economy far exceeded expectations in the last quarter of 2023, growing at a rate of 3.3 percent and avoiding even a hint of a recession.

The hard right predicted that Democrats' investments would drive our country to a recession, but today, American families are seeing more money in their pockets, low unemployment, and inflation cooling down.

The bottom line is that the American economy is headed in the right direction thanks to Democrats investing in our infrastructure, increasing manufacturing through CHIPS and Science, and lifting our country from crisis

through the American Rescue Plan. I am proud to say that in all three, Senate Democrats, whether in the minority or majority, played a leading role.

The economy is now on an upswing, so much so that Republicans and even the former President are trying to take credit. After the Dow Jones and S&P hit record highs last week, Donald Trump deployed a spin job for the ages, calling it the "Trump stock market." You can't make that up. Four years ago, Donald Trump predicted the stock market would crash if he lost the election. Well, Donald Trump did lose the election, but today, the stock market is setting record highs.

It is both laughable and very telling that Donald Trump is trying to take credit for the successes of President Biden and the congressional Democrats. Donald Trump knows his disastrous and chaotic record can't stand scrutiny against the jobs, increased wages, and investments secured by Democrats.

Of course, Donald Trump is hardly the only Republican taking credit for Democrats' successes. Around the country, scores of congressional Republicans are attending groundbreakings, and they are going to ribbon-cutting ceremonies and factory openings for projects they voted against in Congress, but the Democrats in the House and Senate prevailed.

Last week, a Minnesota GOP Congressman cheered the announcement of \$1 billion for a new bridge in his district, saying he was "proud to have worked with my Minnesota and Wisconsin congressional colleagues to secure this critical investment." There is only one problem: 2 years ago, this very GOP Member voted against the infrastructure bill that provided these funds, stating at the time:

I will not be complicit in paving a destructive and irreversible path towards socialism.

Well, there he was at the bridge. There he was at the bridge.

A few days later, another GOP Congresswoman from Florida tried to take credit on air for \$40 million in funding that came from bills she voted against in Congress, including the CHIPS and Science bill, which I was proud to have authored. I hope she will give me a pat on the back. When pressed on her voting record, her excuse was she didn't remember her vote.

This is going to be a pattern we are going to see all year long. Without any accomplishments of their own to talk about, Republicans in the House and Senate will try to take credit for jobs and investments they opposed in Congress.

Well, that is the difference between the Democratic and Republican agenda. Democrats are working hard to lower costs, increase wages, and fuel economic growth, while Republicans are creating chaos and then taking credit for our work.

If Republicans want to keep claiming credit, I encourage them: Work with us. Pass bipartisan legislation, and

then you can proudly go to these events without contradiction.

We still have a long way to go to make our economy work better for families, so there will be plenty of opportunities for Republicans to work with us.

I yield the floor.

I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

Mr. McCONNELL. 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.

RECOGNITION OF THE MINORITY LEADER

The Republican leader is recognized.

IRAN

Mr. McCONNELL. Mr. President, 2 weeks ago, after nearly 150 Iran-backed attacks on U.S. personnel in Iraq and Syria, a reporter asked President Biden if he had a message for Iran. The President confidently replied:

I've already delivered the message to Iran. They know not to do anything.

The Commander in Chief had the temerity to suggest that the world's most active state sponsor of terrorism was effectively deterred. Repeated attacks since then, including a deadly attack in Jordan that killed three American soldiers and injured dozens more, suggest otherwise.

SGT William Rivers, SPC Kennedy Sanders, and SPC Breonna Moffett now rest with generations of brave Americans before them who have given their lives in service to our country. I know my colleagues join me in grieving with the families and comrades they leave behind.

For 3 years, the threat of Iran-backed terror against American personnel and interests in the Middle East has been growing. Iran is emboldened and believes it can use its proxies to attack America with impunity.

The Biden administration has hastened this erosion of deterrence. Their public hand-wringing and fear of escalation send exactly the wrong message to Tehran and other enemies of America. To paraphrase Henry Kissinger, when our primary objective becomes avoiding war or escalation, we are at the mercy of our most ruthless adversaries.

The United States' objective is not to avoid escalation at all costs. If it was, the quickest way to achieve it would be to retreat and cede the whole Middle East to Iran. Instead, our objective is to compel Iran and its proxies to stop attacking American forces and our interests in the region and to preserve American influence in a critical part of the world. But to achieve this objective, we have to convince our adversaries that we are prepared to escalate and to threaten the interests that they hold dear. If the Iranian regime thinks America is most afraid of escalation, it

will use that fear because it believes it will drive us from the Middle East, just as we were driven from Afghanistan.

It was reasonable to hope that the eruption of proxy violence against American forces in the wake of the October 7 massacre in Israel would convince the Biden administration to start seriously exercising American strength. It was reasonable to hope that a global superpower might finally begin to act like one. That hasn't happened yet, but perhaps the gut-wrenching tragedy of American casualties will finally wake this administration from its delusional approach to Iran.

Yesterday, the Secretary of Defense echoed President Biden's hollow assurance from earlier this month, insisting that the administration "will not tolerate attacks on U.S. forces, and we will take all necessary action to defend the U.S. and our troops." Unfortunately, this sentiment isn't yet backed by any action. The fact that Iran's proxies have targeted Americans 166 times in the past 3 months demonstrates that the Biden administration is willing to tolerate attacks on U.S. forces. The question for the Commander in Chief is whether his actions in the coming days will convince Iran and its proxies that America's tolerance has been exhausted.

It is time for the administration to provide Senators with a briefing on the current situation in the Middle East.

As I have said before, the President has the necessary authorities to strike those responsible for killing and wounding Americans, targeting our interests, and threatening our allies in the region. He has the capacity to go after the Iranians who sponsor and direct this campaign. But his administration has an obligation to inform Congress of its objectives and strategy and to explain why their attempts to deter Iran and its proxies have as yet been unsuccessful.

Of course, the failures of their own approach to the region haven't stopped Washington Democrats from trying to police the internal politics of a close ally fighting for its security or from trying to tie Israel's hands as it works to eradicate Hamas terrorists.

Some of our colleagues have apparently mistaken themselves for members of the Knesset. They have started using the press to cast bizarre, unsolicited votes of no confidence in a sovereign democracy's duly elected Prime Minister. Talk about foreign political interference. And their Bibi derangement syndrome isn't just unseemly behavior for an ally; they want to compel Israel to pursue policies that even prominent leaders of the Israeli left have insisted they have no time for.

It is increasingly, glaringly clear that a headlong charge forward to a two-state solution puts the cart before the horse. Israel needs a partner in peace before it can be expected to make peace. Palestinians need leaders and a government worthy of the name before they can expect a state.

As I have said before, responsibility for the humanitarian catastrophe in Gaza, for the weaponization of hospitals and schools, and for the corruption of aid agencies charged with helping the Palestinian people—all of that belongs to Hamas.

Each time Hamas has faced a choice between improving Palestinian lives and taking Israeli lives, it has chosen the latter. And last week we learned the horrific degree to which international humanitarian agencies have been corrupted—corrupted—by Hamas's hate. No fewer than a dozen credentialed staff members of the U.N.'s Relief and Works Agency are linked directly—directly—to the slaughter of Israelis on October 7. So let me say that again. At least 12 paid staff of the U.N. agency that purports to lead humanitarian efforts in Gaza moonlit—moonlit—as Hamas terrorists on the deadliest day for Jews since the Holocaust.

According to news reports, Israeli intelligence indicates that a full 10 percent of UNRWA's staff have ties to the Iran-backed terrorist group that steals aid shipments to build terror tunnels. Yet, instead of reckoning with UNRWA's complicity, the head of the agency responded with a whining statement that emphasized just how few of the supposed relief workers under his authority had been caught killing Israelis on company time.

In fairness, UNRWA comes from the same anti-Israel family of organizations as the self-proclaimed "global champion" for the empowerment of women, a U.N. entity that took 57 days—57 days—to condemn Hamas's rape and brutalization of Israeli women and girls.

The United States and our allies need not search for moral authority in such a fallow field as the United Nations. Unfortunately, even the Biden administration's announced pause on additional funding to UNRWA may fail to carry sufficient weight. As one outside analysis points out, \$51 million already allocated by the State Department for use this year will be delivered as scheduled to an organization that clearly lacks the means to fulfill its most basic purpose.

So as I have said before, there is no room for the tired cast of corruption and terrorism in the future of the Palestinian people. As such, Senate Republicans will not accept any legislation that allows taxpayer dollars to fund UNRWA.

And America's ally Israel deserves the time, space, and support it needs to remove Hamas from the equation—root, stem, and branch.

The ACTING PRESIDENT pro tempore. The majority whip.

ONLINE CHILD SEXUAL EXPLOITATION

Mr. DURBIN. Mr. President, tomorrow, our Senate Judiciary Committee will hold a landmark hearing. For the first time, the CEOs of five Big Tech companies will testify about the crisis of online child sexual exploitation.

This continues our committee's bipartisan work to combat the dangers children face online. This has been one of my top priorities as chair of the committee.

Last February, we held a hearing on kids' online safety. Six witnesses testified about online child sexual exploitation, cyber bullying, addictive online platforms, and the collection and sale of children's sensitive personal data. At the hearing, I noted there were no witnesses from the tech companies present. I promised they would have their chance.

Tomorrow, the CEOs of Discord, Meta, Snap, TikTok, and X will testify. I thank my friend and fellow colleague Senator LINDSEY GRAHAM, ranking Republican on the Judiciary Committee, for his bipartisan cooperation in establishing this hearing. The CEOs of Discord, Snap, and X will testify pursuant to subpoenas issued by the committee. This follows their repeated refusal to testify voluntarily. I look forward to hearing from these companies about what they are doing to make their platforms inaccessible to child sex offenders.

As recently as last week, some have launched new child safety measures that are long overdue. If you were watching the playoff football games over the weekend, you heard some of these same companies advertising they have now discovered a new way to protect children. Could it have something to do with their appearance at the hearing? We will see.

But it shouldn't take a hearing before the Senate Judiciary Committee to finally get these companies to prioritize child safety. Because these changes are half measures at best, I welcome the opportunity to question them about what more needs to be done.

There have been recent troubling reports about how each of these platforms is being used by offenders to target children or trade child sexual abuse material. Some reports even detail how the platforms promote exploitive behavior. Let's be really honest about this. Some of these algorithms are more powerful than any parent—that is for sure—and some of the techniques that are used by these platforms to encourage and lure children into situations where they are in danger are well-documented and researched.

There have been recent troubling reports about these platforms being used to target kids in the most heinous ways. Some details about this show that the companies are actually promoting this kind of behavior. The National Center on Sexual Exploitation has named each of these companies to their annual "Dirty Dozen List" for facilitating child sexual exploitation.

I am sure every Member of the Senate has heard from constituents, friends, and family members about the harm Big Tech is inflicting on our kids. Tomorrow, the Senate Judiciary Committee will demand answers.

Hearings are important, but it is clear that we need legislation, because the tech industry has failed, on its own, to protect our kids. They are protecting their profits, but they are not protecting our children. Last year, the committee unanimously reported five bills to combat the crisis of online child sexual exploitation. One of the bills I introduced is my bipartisan STOP CSAM Act, which will end Big Tech's free ride and allow victims to finally hold these companies accountable for their failure to stop online child sexual exploitation. CSAM is an acronym for "child sexual abuse material."

Since the earliest days of the internet, companies have been allowed to act with near impunity. American families harmed by Big Tech's decisions have no means of redress. To illustrate how dangerous this is, consider a change Meta made last month that carries grave consequences for children. Every year, Meta submits tens of millions of CyberTips to the National Center for Missing and Exploited Children, known as NCMEC, concerning CSAM found on its platforms. Each CyberTip involves a victim of exploitation, like a child being sexually abused in a photo that has been traded endlessly online or a child who is being coerced, extorted, groomed, or sold for sexual purposes.

In December, Meta announced it is rolling out end-to-end encryption by default on its Facebook and Messenger platforms. Because of this change, Meta will no longer be able to use certain tools to detect and report child exploitation. Encryption can be a valuable tool for protecting privacy, but it is alarming for a company to kneecap their own work to stop online child sexual exploitation.

According to press reports, Meta employees warned internally that this would greatly diminish the company's ability to identify online child exploitation, and child protection advocates and survivors immediately sounded the same alarm. NCMEC called Meta's adoption of end-to-end encryption "a devastating blow for child protection." NCMEC and other advocates are imploring Meta to pause the rollout until it demonstrates the encryption switch won't cause children harm. That is all they want: for Meta to be sure it won't hurt kids.

This highlights the unacceptable situation we find ourselves in. There are no tools to hold companies accountable. Instead, survivors and advocates are left to plead with these companies to choose safety over profit.

The Phoenix 11, a group of CSAM survivors, powerfully expressed their rage about this situation in a letter they recently sent to the committee. They wrote:

As survivors, we bear the consequences when decisions are made that prioritize profit over children . . . If Meta no longer reports these crimes against us, we alone suffer the consequences.

This is a profoundly disturbing situation. In no other sector of society would we permit one company to make an unreviewable decision that puts millions of American kids at risk. But for almost 30 years, section 230 of the Communications Decency Act has protected the tech industry from accountability for the damage it has done.

You have to look far and wide to find companies or industries that are exempt from liability under the law, civilly or criminally. This is one of those. The law was enacted to allow a fledgling industry to grow, but now it has become an entitlement for the most profitable industry in the history of capitalism to line their profits at the expense of kids.

Every available metric suggests that online child exploitation is getting worse. In the year 2013, NCMEC received approximately 1,380 CyberTips per day. Ten years later, in 2023, this skyrocketed to 100,000 CyberTips per day. Think about that for a second: 100,000 reports of sexual abuse per day.

There has also been a dramatic increase in the number of victims per offender, who can use technology to ensnare a shocking number of children without even leaving their homes. A single defendant prosecuted in Minnesota sextorted over 1,100 children—one person, over 1,000 kids.

What does that consist of? They lure these kids and groom them to the point where they send photographs of themselves that are way too candid and expose things they shouldn't. Then the person says: If you don't want me to put this on the internet, you have to pay me.

This fellow had extorted in that kind of situation over 1,000 kids before he was finally brought to justice. That is the status quo that Congress protects if we do nothing.

Everyone needs to do their part to stop this gross injustice. That includes Congress finally enacting legislation that holds the tech industry accountable when it fails to protect children. That is why the Judiciary Committee will hold its landmark hearing tomorrow. That is why I will continue to work to bring the Stop CSAM Act and other critical bills to protect kids to the Senate floor.

Mr. President, back in the day, before I was elected to office, I was a trial lawyer in small-town America. I made a nice living. I took cases to trial of a different stripe. I am not saying that I was part of the system of justice in this country, but it turns out I was. The fact that people face accountability for their wrongdoing and could end up losing in court is another incentive to do the right thing in your life. Here we have a situation that is clearly, clearly out of control. What is happening is beyond the reach of the most conscientious parents in America.

I am lucky to have some wonderful grandkids. I have two who live in New York. They are 12 years old. I am really proud of them. Their mom worries

about them—and their dad as well—every single day, as they spend way too much time, by their estimation, on screens. They try to encourage them to do the right thing and make sure that they never communicate with people they don't know or provide information or anything else that they shouldn't. But the parents can't be sure that always works—nobody can. They want to do the right thing for their kids.

I told my daughter I was having this hearing. She said: Dad, when you get these execs in front of you, ask them what they do to protect their own kids—their own kids who could be exploited and they wouldn't even know about it.

It is a legitimate question. I don't know if I will be asking it tomorrow. It depends on the circumstances. But it is something that every family across America would like to know: What are you doing, Senator, to protect our kids? It is getting worse instead of better. Can you change the law to help us?

It is up to us to decide. I hope tomorrow's hearing is the beginning of a conversation on a bipartisan basis.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Texas.

ENERGY

Mr. CORNYN. Mr. President, the Biden administration, in the last few days, has made another reckless attempt to try to appease its more radical aspects of its political base—in this case, leftwing climate activists.

Last week, the administration halted new liquefied natural gas projects, effectively chilling new investments in the industry that powers the United States and many of our closest allies. Had the administration announced this decision 3 years ago, it would have been dangerous and shortsighted. But given the state of the world today, this step is almost unthinkable.

Russia's unprovoked war in Ukraine is nearing the 2-year mark. Iran's terrorist proxies are unleashing chaos on the Middle East, and China is responsible for growing tensions in the Indo-Pacific. This is an extremely fraught time—I think we would all have to agree—given that the instigators of each of these conflicts are three of the world's largest natural gas producers.

This is an extremely risky time for energy security. Fortunately, the United States is in a uniquely strong position to temper those risks. We are the world's largest natural gas producer, and, last year, we became the largest LNG exporter. That means energy produced in America, creating American jobs, helping to grow our economy, is being exported to countries all around the world that don't have access to those natural resources.

Around the globe, American LNG supports the energy security of our friends and allies. If they are importing American energy, they don't have to worry about some rogue dictator cutting off the gas with a moment's notice.

Sadly, many of our friends in Europe had to learn this the hard way, after the invasion by Russia of Ukraine, because much of Europe had a single supplier of their energy needs. In 2009, Russia effectively turned off the gas to Ukraine for almost 3 weeks, using that energy supply as a weapon. This affected at least 10 countries in Europe whose natural gas traveled in a pipeline through Ukraine.

In many ways, this should have been a wake-up call for the United States and our allies about the dangers of energy dependence, the lack of diversity in the supply. Relying on anyone—any country—for basic needs like heating, electricity, and fuel creates serious vulnerability, but relying on an adversary, as Europe did, is downright dangerous.

Over the last 15 years, our friends in Europe have been working to diversify their energy supply and reduce their reliance on Russia.

I remember John McCain, our former colleague, saying: “Russia is a gas station masquerading as a country.” It is their principal export and what they use to fuel their economy and, unfortunately, what they use to arm themselves when they invade neighboring countries like Ukraine.

So oil and gas is how they do that, and they somehow had convinced the Europeans that they were a reliable, sole source for that energy.

Well, they learned the hard way after Russia invaded Ukraine. Following Russia’s invasion, Putin became persona non grata on the world stage. No one wanted to do business with Russia. They didn’t want to purchase Russian oil and gas that would help Putin finance his barbaric war, and they certainly didn’t want their energy supply to be subject to the whims of a cruel and vindictive dictator.

Our friends in Europe turned to the United States for LNG, and, fortunately, we were able to fill the gap. Liquefied natural gas exports to Europe more than doubled between 2021 and 2022. That was only possible because of America’s energy producers.

You know, it wasn’t that long ago I remember we were seeing terminals built for the importation of liquefied natural gas from other parts of the world to the United States. But it is a testament to the innovation and the investment in America’s natural resources that allowed, as I said, America to be the No. 1 exporter. So rather than importing that energy from other countries, we are supplying that energy to friends and allies around the world.

Thanks to our energy industry and the incredible men and women behind it, we had the supply, the export terminals, and the ability to send our allies the energy they needed at a critical moment. Had this freeze been issued several years ago—the one President Biden announced last week—that may not have been the case because producers can’t ramp up production and

increase exports overnight. It requires a lot of preparation. It requires infrastructure. It requires deploying your assets strategically. It is not like a faucet you can turn off and on in an instant. The production of energy takes time, investment, infrastructure, and a whole lot of certainty because investors will not invest in something that does not have a reasonable chance of producing a return. Now, with the stroke of a pen, President Biden has virtually eliminated that certainty.

President Biden’s pause, as he calls it, has thrown future LNG projects into limbo, and our allies are understandably spooked. They don’t know if they can continue to count on the United States for the affordable energy they need to keep the lights on, to heat their homes, and to cook their food.

The Biden administration has offered some ambiguous assurances that this decision won’t impact our ability to export LNG to our allies in the near term—whatever that means—but it doesn’t offer much peace of mind, and it certainly doesn’t offer the sort of predictability that the marketplace needs in order to incentivize investment in this energy production. So our allies now are left to question if or when American LNG will stop serving global markets. Today, they are wondering if they should ride this wave while they can or whether it is time to start looking for another seller.

The Biden administration has created unnecessary chaos and confusion on our allies, and for what? A new talking point in a political campaign ad? It just does not make sense in any other context.

It simply is disingenuous to suggest that this is a way to combat climate change, because curbing LNG exports won’t change the reality of the situation we are in today. If countries can’t get access to relatively clean natural gas, what are they going to use? Coal, for example? Certainly nothing as clean as American-produced liquefied natural gas. They can’t just flip a switch and turn to wind, solar, and renewables. At the end of the day, they are going to need fossil fuels for a base-load to keep the lights on.

Texas, I am proud to say, is an “all of the above” State. We produce more electricity from wind than any other State in the Nation. I know we are thought of as exclusively an oil and gas State, but that is simply not factually true, although the Permian Basin, for example, does produce the lion’s share of natural gas for not only America but that we use for export.

At the end of the day, we are going to have to transition. I know people think—again, some people in their fevered dreams think that you can automatically do away with fossil fuels and go to wind turbines and solar panels and renewables. Well, we do need to transition, but we can’t transition overnight. It is going to take time.

I believe America’s innovators, our job creators, will come up with other

ways to generate access to energy that will allow us over time to transition. It is inevitable. We have always been in a period of transition. But it can’t be forced overnight like the Biden administration seems to think it can.

Well, as I said, maybe our allies will turn to coal. Maybe they will purchase natural gas from Russia again or Saudi Arabia, which don’t have nearly the same environmental standards we have in the United States. At the end of the day, one thing is certain: Restricting the supply of American liquefied natural gas isn’t going to make the world’s energy consumption any cleaner, and it is sure to jeopardize global energy security.

Once again, President Biden has missed the forest for the trees. He is so focused on pleasing climate activists that he has lost sight of the bigger picture. American LNG is not the enemy here. In fact, it is a vital security tool.

We have to uplift our closest allies and provide energy at an affordable cost to American families. It gives other countries the ability to source their energy from a stable democracy rather than a temperamental or volatile dictator, and it gives countries lower emissions options—something you would think the Biden administration would want to encourage. Of course, as I mentioned, it creates jobs in places like Texas, North Dakota, and Pennsylvania and lifts up the entire U.S. economy.

The Biden administration’s decision to halt new export projects puts all that in jeopardy at the worst possible time. It weakens U.S. energy security, it kills American jobs, it kneecaps our energy industry, and it sends more business to Russia and Iran.

This isn’t a climate victory. It isn’t an economic victory. It certainly isn’t a victory for our security. This is an unforced error and a pretty transparent attempt to try to please climate activists. The climate-first approach to energy policy isn’t just foolish, it is extremely dangerous. It is hurting our allies and helping our adversaries.

But I want to be clear. I support efforts to diversify our energy sources and reduce emissions. As I mentioned, my State has embraced an “all of the above” energy strategy, which includes oil and gas, solar, wind, and nuclear. But on top of that, Texas-based companies are making enormous strides in energy innovation. Every day, they are finding new ways to make our most prevalent and affordable energy sources cleaner.

I believe we should do more to encourage innovation and diversify our energy sources, but those efforts must come second to energy security. Our top priority must be to ensure the United States and our allies have access to the energy they need to keep the lights on. It is embarrassing that even after what we have witnessed over the last few years, President Biden still hasn’t learned that important lesson.

I yield the floor.

The PRESIDING OFFICER (Mr. MARKEY). The Senator from Ohio.

ONE-YEAR ANNIVERSARY OF THE EAST
PALESTINE DERAILMENT

Mr. BROWN. Mr. President, I rise today on a pretty solemn occasion in Eastern Ohio. Frankly, I rise today to recognize a town in Eastern Ohio, one that most of my colleagues probably didn't even know existed a year ago.

On February 3, 2023, less than a year ago, 38 railcars from a train spanning 1½ miles—think about that: a train spanning 1½ miles—derailed and overturned right outside the center of East Palestine, OH. Flames flared and thick, black plumes of smoke billowed into the sky. Toxic chemicals started spewing into the air and the water and the ground. We saw the footage. We all saw that footage that dominated the news. People read the articles. They scrolled through it on social media.

Americans watched it, but the people of East Palestine lived it. They had to pack up and evacuate their homes in the middle of the night. They didn't know if the air they were breathing and the water coming from their faucets was safe. Their lives were turned upside down.

My job is to always, always fight for Ohio. When disaster struck, we got to work.

Residents in the surrounding area needed air, water, and soil testing. We secured it.

They needed initial health screenings. We made it happen, and we got the Centers for Disease Control to support a free health clinic.

They needed answers and help with cleanup. We got that done.

Local business owners and farmers and manufacturers needed investment to keep their community alive. We delivered through a loan program through the Department of Agriculture.

Now, essentially, the reporters have packed up and the cameras left the community to chase the next big story, but the people of East Palestine are still there, trying to move forward. Over the last year, I have visited East Palestine a number of times. Our staff is there even more often. Each time, we ask residents what we can do.

They want the contamination cleaned up completely. They want continuous monitoring of the air they breathe, the water they drink, and screenings to see if their long-term health has been impacted. They want assurance that they won't be hit by a surprise tax bill this season, and we included a provision in the bipartisan tax deal to guarantee that—that tax deal that included breaks for our research and development and the child tax credit, voted out of the House Ways and Means Committee 40 to 3.

We are fighting for all of it. We are not giving up. We will keep asking and listening and making sure they get what they need.

As we sat at roundtables of their local businesses and toured the health

clinic and walked through the fields of their family farms, I had the privilege of getting to know better this town and the people who call East Palestine home.

They have a rich history. For decades, this community, this county, manufactured ceramics in this area, and their economy boomed. And like my hometown of Mansfield, when bad trade deals shipped those jobs overseas and the factories closed their doors, the community came together and persevered.

I listened to their family stories, their hopes for their hometown, and their concerns for its future. In every visit, every conversation, every interaction, I saw determination and heart. When I think about East Palestine, I don't just think about a train derailment; I think about the resilience they have shown the world. I think about firefighters who were first on the scene that night of the derailment, having no idea what they were exposing themselves to; but that was their job. And all but one at the fire department—the chief is the exception—all but one of them is a volunteer. They have returned to work every day, despite what they found, to serve their community.

I think about the parents who fought to make sure the town will still be their home and where their families feel safe. I think about the business owners and farmers and manufacturers working to resume pre-derailment operations, and I have no doubt they will.

The people of East Palestine want the support and the compensation they are owed. They do not want this derailment to define them. I don't want that either. I don't want any other community in Ohio or around the country to have to deal with a disaster like this ever again.

Make no mistake, this derailment was preventable. The train barreled past sensors that raised the alarm, but Norfolk Southern didn't tell the crew to stop. Norfolk Southern laid off a third of their workers in the last decade. Now, they are trying to take even more crew members off trains—trains that can be miles long and carry dangerous chemicals.

Understand that in the 10 years leading up to this, a third of Norfolk Southern workers were laid off. There were stock buybacks, big dividends for the executives, and look what happened to public safety. The company is known to rush safety inspections—inspections that could help spare communities from disaster.

It paints a picture of a company culture obsessed with profits at the expense of safety and the communities their trains pass through. It is the Wall Street business model: cut costs to boost your stock price, cash out millions in executive bonuses, dole out eye-popping stock buybacks—the people of East Palestine be damned.

We aren't letting Norfolk Southern get away with it again. We aren't going to let them dismiss another vibrant

heartland town as collateral damage. We have to make sure it doesn't happen again.

One month after the derailment, Senator VANCE and I teamed up to introduce the bipartisan Railway Safety Act to hold big rail companies accountable and to stop a disaster like this from ever happening again.

I spent last year advocating for rail safety across Ohio in cities and towns that have had train derailments. It is not just East Palestine. It is Steubenville. It is Ravenna. It is Sandusky. It is Springfield. It is Massillon and more. All had Norfolk Southern derailments within a year of the East Palestine crash. Each one of these communities is another reason why we must get this commonsense bill across the finish line and hold Norfolk Southern accountable.

After the derailments in Sandusky and Springfield, Norfolk Southern refused to pay what they owe. When local leaders came to us, we demanded they make their payments; and, finally—of course, reluctantly, because it affected their bottom line—they did.

That is how I approach this job. I listen to the people we serve. Here is my message to the people of East Palestine and every single Ohioan from Cincinnati to Ashtabula, from Toledo to Athens, and everywhere in between: I will continue to fight for Ohio every single time. When disaster strikes, we show up. We find ways to make sure every community gets what they need. We fight to make sure these tragedies never happen again.

I have told the people of East Palestine—and I keep telling them—that I am there for the long haul. I can count the number of times that people said: Well, nobody will come back once the cameras leave.

Well, the cameras have mostly left. I have been there eight times. I will continue to be there. I will continue to fight for the people of Columbiana County. I will always fight to hold Norfolk Southern accountable. I will always fight to make our railways safer.

NOMINATION OF JOSHUA PAUL KOLAR

Mr. DURBIN. Mr. President, today, the Senate will vote to confirm U.S. Magistrate Judge Joshua Kolar to the U.S. Court of Appeals for the Seventh Circuit.

After receiving his B.A. and J.D. from Northwestern University, Judge Kolar worked in private practice and clerked for Judge Wayne R. Andersen on the U.S. District Court for the Northern District of Illinois. From 2007 to 2018, Judge Kolar was an assistant U.S. attorney in the U.S. Attorney's Office for the Northern District of Indiana. He prosecuted a range of cases, including public corruption, terrorism-related offenses, violent crimes, narcotics conspiracies, and firearms offenses. Over the course of his legal career, Judge Kolar tried 16 cases to verdict and briefed or argued 20 appeals before the Seventh Circuit.

In 2019, Judge Kolar was selected by the district judges of the Northern District of Indiana to be a magistrate judge, where he presides over civil and criminal cases. Since 2009, Judge Kolar has also honorably served his country as a Reservist and on Active Duty in the U.S. Navy. Judge Kolar has the strong support from his home State Senators, Mr. YOUNG and Mr. BRAUN. In addition, he was unanimously rated “well qualified” by the American Bar Association.

Taken together, Judge Kolar’s service to his country in the military and as a prosecutor, his extensive appellate experience, and his service as a magistrate judge make him well-suited to serve on the Seventh Circuit with distinction.

I urge my colleagues to support Judge Kolar’s nomination.

Mr. BROWN. Mr. President, I ask unanimous consent that the scheduled vote occur immediately.

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

VOTE ON KOLAR NOMINATION

The question is, Will the Senate advise and consent to the Kolar nomination?

Mr. BROWN. 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 Pennsylvania (Mr. FETTERMAN) and the Senator from West Virginia (Mr. MANCHIN) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the Senator from Idaho (Mr. CRAPO), the Senator from South Carolina (Mr. GRAHAM), the Senator from Wisconsin (Mr. JOHNSON), the Senator from Utah (Mr. LEE), the Senator from Idaho (Mr. RISCH), and the Senator from South Carolina (Mr. SCOTT).

The result was announced—yeas 66, nays 25, as follows:

[Rollcall Vote No. 25 Ex.]

YEAS—66

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

NAYS—25

Blackburn	Hawley	Rubio
Boozman	Hoeben	Schmitt
Britt	Hyde-Smith	Scott (FL)
Budd	Lankford	Sullivan
Cotton	Lummis	Tuberville
Cruz	Marshall	Vance
Daines	McConnell	Wicker
Fischer	Paul	
Hagerty	Ricketts	

NOT VOTING—9

Barrasso	Graham	Manchin
Crapo	Johnson	Risch
Fetterman	Lee	Scott (SC)

The nomination was confirmed. The PRESIDING OFFICER (Mr. WARNOCK). 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 leader.

LEGISLATIVE SESSION

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I move to proceed to executive session to consider Calendar No. 477. The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to. The PRESIDING OFFICER. The clerk will report the nomination. The senior assistant legislative clerk read the nomination of Lisa W. Wang, of the District of Columbia, to be a Judge of the United States Court of International Trade.

CLOTURE MOTION

Mr. SCHUMER. I send a cloture motion to the desk. The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion. The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 477, Lisa W. Wang, of the District of Columbia, to be a Judge of the United States Court of International Trade.

Charles E. Schumer, Richard J. Durbin, Brian Schatz, Mazie K. Hirono, Tina Smith, Gary C. Peters, Amy Klobuchar, Raphael G. Warnock, Catherine Cortez Masto, Alex Padilla, Mark R. Warner, Tim Kaine, Sheldon Whitehouse, Martin Heinrich, Christopher A. Coons, Margaret Wood Hassan, Peter Welch.

LEGISLATIVE SESSION

Mr. SCHUMER. I move to proceed to legislative session.

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. I move to proceed to executive session to consider Calendar No. 476.

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

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Joseph Albert Laroski, Jr., of Maryland, to be a Judge of the United States Court of International Trade.

CLOTURE MOTION

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

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

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 476, Joseph Albert Laroski, Jr., of Maryland, to be a Judge of the United States Court of International Trade.

Charles E. Schumer, Richard J. Durbin, Brian Schatz, Mazie K. Hirono, Tina Smith, Gary C. Peters, Amy Klobuchar, Raphael G. Warnock, Catherine Cortez Masto, Alex Padilla, Mark R. Warner, Tim Kaine, Sheldon Whitehouse, Martin Heinrich, Christopher A. Coons, Margaret Wood Hassan, Peter Welch.

Mr. SCHUMER. I ask unanimous consent that the mandatory quorum calls for the cloture motions filed today, January 30, be waived.

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.

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 still available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications that have been received. If the cover letter references a classified annex, then such an 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. 24-23, concerning the Army's proposed Letter(s) of Offer and Acceptance to the Government of Croatia for defense articles and services estimated to cost \$500 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. HURSCH,
Director.

Enclosures.

TRANSMITTAL NO. 24-23

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

(i) Prospective Purchaser: Government of Croatia.

(ii) Total Estimate Value:
Major Defense Equipment* \$250 million.
Other \$250 million.
Total \$500 million.

Funding source: Foreign Military Financing and National Funds.

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

Major Defense Equipment (MDE):
Eight (8) UH-60M Black Hawk helicopters.
Nineteen (19) T700-GE 701D engines (16 installed, 3 spares).

Twenty (20) AN/ARC-231A RT-1987 very high frequency (VHF)/ultra high frequency (UHF)/Line of Sight (LOS) satellite communications (SATCOM) radios.

Ten (10) AN/AAR-57 Counter Missile Warning Systems (CMWS).

Twenty (20) H-764U Embedded Global Positioning Systems with Inertial Navigation (EGI) and Selective Availability Anti-Spoofing Module (SAASM) (or future replacement).

Eighteen (18) M240H machine guns.

Non-MDE: Also included are AN/ARC-231 RT-1808A (or future replacement) VHF/UHF/LOS SATCOM radios; APR-39C(V)1/4 radar warning receivers; AVR-28 laser detecting sets; APX-123A Identification Friend or Foe (IFF) transponders (or future replacement); ARC-220 high frequency (HF) radio with KY-100M; VRC-100 ground stations; AN/PYQ-10 Simple Key Loader (SKL); KIV-77 Common Identification Friend or Foe (IFF) crypto applique computers; KY-100M; communications security (COMSEC) encryption devices AN/ARN-147(V) VHF Omni-Directional Range (VOR)/instrument landing systems (ILS) receiver radio; AN/ARN-149(V) low frequency

(LF)/automatic direction finder (ADF) radio receiver; AN/ARN-153 tactical air navigation system (TACAN) receiver-transmitter; AN/APN-209 radar altimeter; AN/ARC-210 radios; EBC-406HM emergency locator transmitter (ELT); Encrypted Aircraft Wireless Intercommunications Systems (EAWIS); Improved Heads-Up Display (IHUD); signal data converters for IHUD; signal data converters for heads-up display (HUD); forward-looking infrared (FLIR) with electro-optical and infrared (EO/IR) capabilities; EO/IR cabin monitoring systems; EO/IR digital video recorder; AN/ARC-201D RT-1478D (or future replacement); Enhanced Ballistic Armor Protection Systems (EBAPS); Internal Auxiliary Fuel Tank Systems (IAFTS); Fast Rope Insertion & Extraction System (FRIES); External Rescue Hoist (ERH); rescue hoist equipment sets; Dual Patient Litter System (DPLS) Sets; Martin Baker palletized Crew Chief/Gunner seats with crashworthy floor structural modifications; External Stores Support System (ESSS); Integrated Tow Plates Production Assets; universal software loading kits; 60k volt-ampere (VA) generator kits; instrumental panel sets; external gun mount systems; Black Hawk Aircrew Trainer (BAT); Black Hawk Maintenance Trainer (BHMT-M); Black Hawk Avionics Trainer; Maintenance Blended Reconfigurable Avionics Trainer (MBRAT); training devices; helmets; transportation; organizational support equipment; spare and repair parts; support equipment; tools and test equipment; technical data and publications; personnel training and training equipment; U.S. government and contractor engineering, technical, and logistics support services; and other related elements of logistics and program support.

(iv) Military Department: Army HR-B-UCH).

(v) Prior Related Cases, if any: 7L-B-UGK, HR-B-UBQ, HR-B-UBT.

(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: January 26, 2024.

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

POLICY JUSTIFICATION

Croatia—UH-60M Black Hawk Helicopters

The Government of Croatia has requested to buy eight (8) UH-60M Black Hawk helicopters; nineteen (19) T700-GE 701D engines (16 installed, 3 spares); twenty (20) AN/ARC-231A RT-1987 very high frequency (VHF)/ultra high frequency (UHF)/Line of Sight (LOS) satellite communications (SATCOM) radios; ten (10) AN/AAR-57 Counter Missile Warning Systems (CMWS); twenty (20) H-764U Embedded Global Positioning Systems with Inertial Navigation (EGI) and Selective Availability Anti-Spoofing Module (SAASM) (or future replacement); and eighteen (18) M240H machine guns. Also included are: AN/ARC-231 RT-1808A (or future replacement) VHF/UHF/LOS SATCOM radios; APR-39C(V)1/4 radar warning receivers; AVR-28 laser detecting sets; APX-123A Identification Friend or Foe (IFF) transponders (or future replacement); ARC-220 high frequency (HF) radio with KY-100M; VRC-100 ground stations; AN/PYQ-10 Simple Key Loader (SKL); KIV-77 Common Identification Friend or Foe (IFF) crypto applique computers; KY-100M; communications security (COMSEC) encryption devices AN/ARN-147(V) VHF Omni-Directional Range (VOR)/instrument landing system (ILS) receiver radio; AN/ARN-149(V) low frequency (LF)/automatic direction finder (ADF) radio receiver; AN/ARN-153 tactical air navigation system

(TACAN) receiver-transmitter; AN/APN-209 radar altimeter; AN/ARC-210 radios; EBC-406HM emergency locator transmitter (ELT); Encrypted Aircraft Wireless Intercommunications Systems (EAWIS); Improved Heads-Up Display (IHUD); signal data converters for IHUD; signal data converters for heads-up display (HUD); forward-looking infrared (FLIR) with electro-optical and infrared (EO/IR) capabilities; EO/IR cabin monitoring systems; EO/IR digital video recorder; AN/ARC-201D RT-1478D (or future replacement); Enhanced Ballistic Armor Protection Systems (EBAPS); Internal Auxiliary Fuel Tank Systems (IAFTS); Fast Rope Insertion & Extraction System (FRIES); External Rescue Hoist (ERH); rescue hoist equipment sets; Dual Patient Litter System (DPLS) Sets; Martin Baker palletized Crew Chief/Gunner seats with crashworthy floor structural modifications; External Stores Support System (ESSS); Integrated Tow Plates Production Assets; universal software loading kits; 60k volt-ampere (VA) generator kits; instrument panel sets; external gun mount systems; Black Hawk Aircrew Trainer (BAT); Black Hawk Maintenance Trainer (BHMT-M); Black Hawk Avionics Trainer; Maintenance Blended Reconfigurable Avionics Trainer (MBRAT); training devices; helmets; transportation; organizational equipment; spare and repair parts; support equipment; tools and test equipment; technical data and publications; personnel training and training equipment; U.S. government and contractor engineering, technical, and logistics support services; and other related elements of logistics and program support. The estimated total cost is \$500 million.

This proposed sale will support the foreign policy and national security of the United States by improving the security of a NATO Ally that continues to be an important force for political stability and economic progress in Europe.

The proposed sale will improve Croatia's capability to deter current and future threats and support coalition operations as well as promote interoperability with the United States and other NATO forces. Croatia will have no difficulty absorbing this equipment into its armed forces.

The principal contractor will be Lockheed Martin/Sikorsky, in Stratford, CT. There are no known offset agreements in connection with this potential sale.

Implementation of this proposed sale will require approximately fifteen (15) U.S. Government and/or fifteen (15) contractor representatives to travel to Croatia for an extended period for equipment de-processing/fielding, system checkout, training, and technical and logistics support.

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

TRANSMITTAL NO. 24-23

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 UH-60M aircraft is a medium lift four bladed aircraft which includes two (2) T-701D engines. The aircraft has four (4) Multi-function Displays (MFD), which provides aircraft system, flight, mission, and communication management systems. The instrumentation panel includes four (4) Multi-function Displays (MFDs), two (2) Pilot and Co-Pilot Flight Director Panels, and two (2) Data Concentrator Units (DCUs). The Navigation System will have Embedded Global Positioning System (GPS)/Inertial Navigation System (INS) (EGIs), and two (2) Advanced Flight Control Computer Systems (AFCC), which provide 4 axis aircraft control:

a. The AN/ARC-201 very high frequency (VHF)—frequency modulation (FM) (VHF-FM) Single Channel Ground and Airborne Radio System (SINGARS) is a reliable, field-proven voice and data communication system used with the UH-60. A non communications security (COMSEC) export variant of this radio that meets these requirements will be provided.

b. AN/ARC-231 RT-1808A (or future replacement) VHF/UHF/LOS satellite communications (SATCOM) Radios. The AN/ARC-231 is a software-definable radio for military aircraft that provides two-way, multi-mode voice and data communications over a 30 Hz to 512 MHz frequency range. It covers both line-of-sight ultra high frequency (UHF) and VHF bands with amplitude modulation (AM), FM, and SATCOM capabilities.

c. The AN/ARC-231A is a software-definable radio for military aircraft that provides two-way, multi-mode voice and data communications over a 30 Hz to 512 MHz frequency range. No designated exportable, non-COMSEC capable version is planned. The AN/ARC-231A supports both line-of-sight UHF and VHF bands with AM, FM, and SATCOM capabilities. It also includes embedded frequency agile modes, Electronic Counter-Countermeasures (ECCM), anti-jam waveforms including Have Quick and Single Channel Ground and Airborne Radio System (SINGARS), Demand Assigned Multiple Access (DAMA), and Integrated Waveform (IW). It provides simultaneous, real-time participation in tactical voice and data communications networks. The RT-1987 will provide National Security Agency (NSA) Tactical Secure Voice Cryptographic Interoperability Specification (TSVCIS) 3.1.1 crypto modernization compliance. Operator selectable air (raffle control channel spacing of 5, 8.33, 12.5, and 25 kHz steps, and other data link and secure communications features, provide battlefield interoperability.

d. The AN/ARC-210 is a family of radios for military aircraft that provides two-way, multi-mode voice and data communications over a 30 to 512+ MHz frequency range. It covers both UHF and VHF bands with AM, FM, and SATCOM capabilities. The ARC-210 radio also includes embedded anti-jam waveforms, including Have Quick and SINGARS, and other data link and secure communications features, providing total battlefield interoperability and high-performance capabilities in the transfer of data, voice, and imagery. The software-programmable encryption is under the NSA Cryptographic Modernization Initiative.

e. The AN/ARC-220 High Frequency (HF) Airborne Communication System provides rotary-wing aircraft with advanced voice and data capabilities for short- and long-distance communications. The system is software programmable with a frequency range of 2.0000-29.9999 MHz, in 100 Hz steps and provides for providing embedded automatic Link establishment (ALE), serial tone data modem, text messaging, GPS position reporting, and anti-jam (ECCM) functions.

f. The AN/APX-123A (or future replacement) Identification Friend or Foe (IFF) Transponder is a space diversity transponder and is installed on various military platforms. When installed in conjunction with platform antennas and the remote control unit (or other appropriate control unit), the transponder provides identification, altitude, and surveillance reporting in response to interrogations from airborne, ground-based, and surface interrogators. The transponder will be classified SECRET if MODE IV, MODE 5, or MODE S fill is installed in the equipment with a crypto device. This item contains sensitive technology.

g. The VRC-100 HF Communication System is the ground station version of the AN/

ARC-220 for use in Aviation Operation Centers. It provides for advanced voice and data capabilities for short- and long-distance communications. The system is software programmable with a frequency range of 2.0000-29.9999 MHz in 100 Hz steps and provides embedded Automatic Link Establishment (ALE), serial tone data modem, text messaging, GPS position reporting, and anti-jam (ECCM) functions. The system is purchased with all required mounts, amplifiers, antennas, power supplies, and accessories.

h. The AN/PYQ-10 Simple Key Loader (SKL) is a ruggedized, portable, hand-held fill device for securely receiving, storing, and transferring data between compatible cryptographic and communications equipment. The AN/PYQ-10(C) Simple Key Loader (SKL) will contain the KOV-21 COMSEC card, which is a Controlled Cryptographic Item (CCI). Cryptographic functions are performed by an embedded KOV-21 card developed by the NSA.

i. The KIV-77 Identification Friend or Foe (IFF) Crypto Applique provides cryptographic and time-of-day services for a Combined Interrogator/Transponder (CIT) or individual interrogator or transponder Mark XIIA (Mode 4 and Mode 5) IFF system deployed to identify cooperative, friendly systems. The KIV-77 contains embedded security, and when keys are loaded is classified up to Secret.

j. The KY-100M is a self-contained terminal including COMSEC that provides for secure voice and data communications in tactical airborne and ground environments. It is an integral part of U.S. Forces' and Federal law enforcement agencies' networks and provides half-duplex, narrowband, and wideband communications. Its flexible interfaces increase compatibility with a wide range of voice, data, radio, and satellite equipment. The KY can support Tier I crypto.

k. The AN/APR-39C(V)1/4 Radar Warning System detects radar-based range finders, target designators, and beam rider systems targeting an aircraft or vehicle. The APR-39 is a detection component of the suite of countermeasures designed to increase survivability of current generation combat aircraft and specialized special operations aircraft against the threat posed by laser designated or guided weapons. This item contains sensitive technology.

l. The AN/AVR-2B Laser Warning Receiver detects laser range finders, target designators, and beam rider laser-aided systems targeting an aircraft or vehicle. The AVR-2B is a detection component of the suite of countermeasures designed to increase survivability of current generation combat aircraft and specialized special operations aircraft against the threat posed by laser designated or guided weapons. This item contains sensitive technology.

m. The AAR-57 Common Missile Warning System (CMWS) is an integrated infrared (IR) countermeasures suite utilizing ultraviolet (UV) sensors to display accurate threat location and dispense countermeasures either automatically or under pilot or crew control to defeat incoming missile threats.

n. Embedded GPS/Inertial Navigation System INS (EGI) provides GPS and INS capabilities to the aircraft. The EGI will include Selective Availability Anti-Spoofing Module (SAASM) security modules to be used for secure GPS Precise Positioning Service (PPS) if required. The Embedded GPS/INS within the SAASM contains sensitive technology.

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

3. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the infor-

mation 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.

4. A determination has been made that Croatia 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.

5. All defense articles and services listed in this transmittal are authorized for release and export to Croatia.

VOTE EXPLANATION

Ms. CANTWELL. Mr. President, from January 8, 2024, through January 11, 2024, I was unable to be present for rollcall votes due to illness. However, had I been present, I would have voted as follows.

On the rollcall vote No. 1, on the motion to invoke cloture on the nomination of John A. Kazen to be U.S. District Judge for the Southern District of Texas, I would have voted yea.

On the rollcall vote No. 2, to confirm the nomination of John A. Kazen to be U.S. District Judge for the Southern District of Texas, I would have voted yea.

On the rollcall vote No. 3, on the motion to invoke cloture on the nomination of S. Kato Crews to be U.S. District Judge for the District of Colorado, I would have voted yea.

On the rollcall vote No. 4, to confirm the nomination of S. Kato Crews to be U.S. District Judge for the District of Colorado, I would have voted yea.

On the rollcall vote No. 5, on the question of whether to override the President's veto of S.J. Res. 32, a resolution of disapproval of the rule submitted by the Bureau of Consumer Financial Protection, I would have voted nay.

On the rollcall vote No. 6, on the motion to invoke cloture on the nomination of Erika L. McEntarfer to be Commissioner of Labor Statistics, I would have voted yea.

On the rollcall vote No. 7, to confirm the nomination of Erika L. McEntarfer to be Commissioner of Labor Statistics, I would have voted yea.

ADDITIONAL STATEMENTS

RECOGNIZING PENN DRUG COMPANY

● Ms. ERNST. Mr. President, as ranking member of the Senate Committee on Small Business and Entrepreneurship, each week I recognize an outstanding Iowa small business that exemplifies the American entrepreneurial spirit. This week, it is my privilege to recognize Penn Drug of Sidney, IA, as the Senate Small Business of the Week.

Penn Drug Company was founded by John Newton Penn in 1863 after he moved to Southwest Iowa from Pennsylvania to open a medical practice. He

purchased the medicine he needed from a local doctor and, in 1864, built the drugstore at 714 Illinois Street in downtown Sidney, the same building Penn Drug continues to operate in today.

After years of serving the community, John Newton Penn sold Penn Drug to his son Alphonso Valdeze Penn in 1876. In addition to being one of the first registered pharmacists in the State of Iowa, Alphonso Valdeze Penn served in the Iowa General Assembly from 1909 until 1911. Alphonso Valdeze Penn's son Alphonso "Val" Valdeze Penn, Jr., began working at Penn Drug in 1910. Val Penn took over the family business with his wife Christena Penn in 1925. In 1970, William "Bill" A. Penn, Val Penn's son, became the owner of Penn Drug after working at the store since 1949. Bill Penn ran the store with his son Jeffrey Penn, the fifth generation of the Penn family in the 1990s.

In addition to being a community pharmacy, Penn Drug also offers delicious drinks from a soda fountain. Initially installed in the store in 1898, the soda fountain was expanded in 1946 to serve customers lunch in addition to ice cream and sundaes while they wait for their prescriptions.

Today, Penn Drug is owned by Angie and Leo Ettleman and Mark Vogt, who purchased the store in 2015. Angie Ettleman is no stranger to Penn Drug. She started working at the drugstore in 1990 at the store's soda fountain. Penn Drug has the distinction of being the oldest pharmacy in Iowa, which is largely due to the dedication of each new owner to maintain a piece of Iowa history and honor the Penn family legacy.

Penn Drug is active in the Sidney community. Over the years, the team has hosted events, including Christmas open houses and customer appreciation days. Penn Drug also provides delivery options for prescriptions from the pharmacy throughout Southwest Iowa. In 2024, Penn Drug celebrated its 161st business anniversary.

Penn Drug's commitment to providing rural healthcare services while preserving a historic Iowa business is clear. I want to congratulate Angie and Leo Ettleman, Mark Vogt, the Penn family, and the entire team at Penn Drug for their continued dedication to the Sidney community. I look forward to seeing their continued growth and success in Iowa.●

TRIBUTE TO DENECEE G. HUFTALIN

● Mr. ROMNEY. Mr. President, I rise today to pay tribute to the exemplary service and leadership of Dr. Denecee G. Huftalin, who will soon conclude a decade of service as the eighth president of Salt Lake Community College, SLCC.

Denecee grew up in Millcreek, UT, and studied at the University of Utah, where she fell in love with university life and decided to dedicate her profes-

sional career to advancing higher education. After working at several education institutions throughout the country, Denecee returned to Utah and joined Salt Lake Community College in 1992. She has been a fixture at SLCC ever since, holding various roles at the college before being inaugurated as its president in 2014. Throughout her more than three decades at SLCC, she displayed an unwavering devotion to community and State service commitments while balancing the demands of a young family.

During her tenure, the college has experienced significant growth. SLCC now boasts the largest and most diverse student body of any 2-year college in the State, with 10 campuses throughout Utah. Students come from an array of backgrounds to pursue studies in more than 200 degree and certificate programs. At SLCC, students succeed in pursuing their passions, in large part because of how President Huftalin has created innovative educational opportunities.

A champion of the learner, regardless of background, President Huftalin has consistently created education pathways instead of barriers. Some of her crowning achievements include expanding initiatives that bolster college readiness for high schoolers, providing funding for students when Federal aid falls short and making online education resources mainstream and accessible. The Open Educational Resources initiative alone has saved students more than \$21 million. Another program which President Huftalin was instrumental in creating, SLCC's Prison Education Program, made a difference in the lives of many. One of the program's graduates spoke about its impact, saying: "For many of us, education served as a lifeline, a way to rise above our circumstances and make a difference . . . it became important to me to take charge of my life to secure my future and try to enlighten those around me."

Buoyed by the dedication of remarkable students and the tireless work of the entire SLCC faculty and staff, President Huftalin has created a ripple effect that will long outlast her tenure. Her family—husband Tim and sons Max and Eli—have supported her throughout her journey and helped make it all possible. I have no doubt that Denecee will continue to serve those around her in meaningful ways. The State of Utah thanks her for tireless service to the noble endeavor of education. Thank you.●

TRIBUTE TO MARY LAWLER

● Ms. HASSAN. Mr. President, I am honored to recognize Mary Lawler of Jaffrey as January's Granite Stater of the Month. After retiring from a 50-year nursing career, Mary has continued to volunteer at Monadnock Community Hospital—MCH—for the past 12 years, helping to welcome new employees and set them up for success.

Mary has always had a close connection to the hospital, which is where her mother worked as a nurse and where Mary herself started her career, working in the operating room. MCH is also where Mary gave birth to her children. She says that the hospital staff is very close-knit, with everyone making an effort to be friendly and make people feel comfortable. The hospital's focus on taking excellent care of patients and building such a strong community is a big part of what draws her to continue volunteering even at age 86.

Mary hopes to keep volunteering as long as possible. Her medical experience lends itself to many different potential roles at the hospital, but she most often volunteers in the human resources department because that is where they need her help the most. Mary is driven by the example that her mother set when she worked at the hospital; Mary was inspired to become a nurse in part after seeing her mother's career, and she has always admired her mother's compassion for others.

Mary's work ethic, generosity, and kindness is emblematic of the Granite State spirit of rolling up our sleeves and pitching in to help out, recognizing that, regardless of our stage in life, we can always make a difference. I am proud to recognize Mary's dedication to supporting the staff and the patients of Monadnock Community Hospital.●

MESSAGE FROM THE HOUSE

At 3:05 p.m., a message from the House of Representatives, delivered by Mrs. Alli, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 3427. An act to extend the authority to provide employees of the United States Secret Service with overtime pay beyond other statutory limitations, and for other purposes.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 3865. An act to designate the facility of the United States Postal Service located at 101 South 8th Street in Lebanon, Pennsylvania, as the "Lieutenant William D. Lebo Post Office Building".

H.R. 3947. An act to designate the facility of the United States Postal Service located at 859 North State Road 21 in Melrose, Florida, as the "Pamela Jane Rock Post Office Building".

H.R. 5528. An act to require the Director of the Office of Management and Budget conduct a review to determine the impact of the lowest price technically acceptable source selection process on national security, and for other purposes.

The message further announced that pursuant to section 1 of the Library of Congress Trust Fund Board Act (2 U.S.C. 154), and the order of the House of January 9, 2023, the Speaker appoints the following individual on the part of the House of Representatives to the Library of Congress Trust Fund Board for a five-year term: Ms. Cynthia Fisher of Newton, Massachusetts.

The message also announced that pursuant to section 9803(d)(1)(C) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263), 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 Commission on Reform and Modernization of the Department of State: Mr. MILLER of Ohio. And from private life: Mr. Marshall Billingslea of Montgomery, Alabama.

MEASURES REFERRED

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

H.R. 3865. An act to designate the facility of the United States Postal Service located at 101 South 8th Street in Lebanon, Pennsylvania, as the "Lieutenant William D. Lebo Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 3947. An act to designate the facility of the United States Postal Service located at 859 North State Road 21 in Melrose, Florida, as the "Pamela Jane Rock Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 5528. An act to require the Director of the Office of Management and Budget conduct a review to determine the impact of the lowest price technically acceptable source selection process on national security, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. CARDIN, from the Committee on Foreign Relations, with an amendment in the nature of a substitute:

S. 2003. A bill to authorize the Secretary of State to provide additional assistance to Ukraine using assets confiscated from the Central Bank of the Russian Federation and other sovereign assets of the Russian Federation, and for other purposes.

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. KAINE (for himself and Mr. YOUNG):

S. 3679. A bill to reauthorize the Dr. Lorna Breen Health Care Provider Protection Act, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. FISCHER (for herself and Mr. KING):

S. 3680. A bill to amend the Internal Revenue Code of 1986 to enhance the paid family and medical leave credit, and for other purposes; to the Committee on Finance.

By Mr. MARKEY (for himself, Mr. WYDEN, Ms. WARREN, Mr. BLUMENTHAL, and Mr. BROWN):

S. 3681. A bill to direct the Secretary of Education to carry out a grant program to support the recruitment and retention of paraprofessionals in public elementary schools, secondary schools, and preschool

programs, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CASSIDY:

S. 3682. A bill to amend the Employee Retirement Income Security Act of 1974 to clarify the obligation of the Pension Benefit Guarantee Corporation to reclaim any overpayment of special financial assistance payment under the American Rescue Plan Act of 2021, including amounts paid on behalf of a deceased participant or beneficiary, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. CANTWELL (for herself and Mr. RISCH):

S. 3683. A bill to ensure that a declaration for a major disaster or emergency is made on a timely basis, rural areas receive assistance, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Ms. KLOBUCHAR (for herself and Mr. KAINE):

S. 3684. A bill to authorize a grant program for the development and implementation of housing supply and affordability plans, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

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

S. 3685. A bill to amend the Family and Medical Leave Act of 1993 to permit leave for bone marrow or blood stem cell donation, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. KLOBUCHAR (for herself, Mr. WYDEN, Mr. DURBIN, Mr. BLUMENTHAL, Ms. HIRONO, and Mr. WELCH):

S. 3686. A bill to prevent anticompetitive conduct through the use of pricing algorithms by prohibiting the use of pricing algorithms that can facilitate collusion through the use of nonpublic competitor data, creating an antitrust law enforcement audit tool, increasing transparency, and enforcing violations through the Sherman Act and Federal Trade Commission Act, and for other purposes; to the Committee on the Judiciary.

By Mr. OSSOFF (for himself and Mr. GRASSLEY):

S. 3687. A bill to direct the Office for Victims of Crime of the Department of Justice to implement anti-trafficking recommendations of the Government Accountability Office; to the Committee on the Judiciary.

By Mr. SCHATZ (for himself, Mr. WHITEHOUSE, Ms. WARREN, Mr. KAINE, Mr. HEINRICH, Mr. BLUMENTHAL, Mr. PADILLA, Mr. MARKEY, Mr. WARNER, Mr. BROWN, Mr. MERKLEY, Mr. SANDERS, Mr. VAN HOLLEN, Mr. FETTERMAN, Mr. CARDIN, and Ms. HIRONO):

S. 3688. A bill to increase the rates of pay under the statutory pay systems and for prevailing rate employees by 7.4 percent, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. WYDEN (for himself, Mr. WELCH, Mr. PADILLA, Ms. BUTLER, and Mrs. GILLIBRAND):

S. 3689. A bill to establish the Office to Enforce and Protect Against Child Sexual Exploitation; to the Committee on the Judiciary.

By Mr. WICKER (for himself and Mr. BLUMENTHAL):

S. 3690. A bill to amend the Communications Act of 1934 to prohibit the application of amateur station antennas, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. SULLIVAN (for himself, Mr. SCHATZ, Ms. MURKOWSKI, and Ms. HIRONO):

S. 3691. A bill to amend title XVIII of the Social Security Act to provide for the application of a cost-of-living adjustment to the non-labor related portion for hospital outpatient department services furnished in Alaska and Hawaii; to the Committee on Finance.

By Mr. WYDEN (for himself, Mr. WELCH, Ms. KLOBUCHAR, Mr. SANDERS, Mr. BLUMENTHAL, Ms. HIRONO, Ms. BUTLER, and Mr. MERKLEY):

S. 3692. A bill to prohibit the use of algorithmic systems to artificially inflate the price or reduce the supply of leased or rented residential dwelling units in the United States; to the Committee on the Judiciary.

By Mr. MARSHALL:

S. 3693. A bill to amend the Federal Meat Inspection Act and the Poultry Products Inspection Act to ensure that consumers can make informed decisions in choosing between meat and poultry products and imitation meat and imitation poultry products, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. WYDEN (for himself, Mr. PADILLA, Ms. WARREN, Mr. BOOKER, and Ms. DUCKWORTH):

S. 3694. A bill to amend the Marine Mammal Protection Act of 1972 and the Animal Welfare Act to prohibit the taking, importation, exportation, and breeding of certain cetaceans for public display, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. STABENOW:

S. 3695. A bill to amend the Higher Education Act of 1965 to change certain eligibility provisions for loan forgiveness for teachers, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DURBIN (for himself, Mr. GRAHAM, Mr. HAWLEY, and Ms. KLOBUCHAR):

S. 3696. A bill to improve rights to relief for individuals affected by non-consensual activities involving intimate digital forgeries, and for other purposes; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Ms. KLOBUCHAR (for herself and Mrs. FISCHER):

S. Res. 535. A resolution recognizing January 30, 2024, as "Help America Vote Day"; considered and agreed to.

ADDITIONAL COSPONSORS

S. 95

At the request of Mrs. HYDE-SMITH, the name of the Senator from Oklahoma (Mr. MULLIN) was added as a cosponsor of S. 95, a bill to amend the Federal Food, Drug, and Cosmetic Act to prohibit the approval of new abortion drugs, to prohibit investigational use exemptions for abortion drugs, and to impose additional regulatory requirements with respect to previously approved abortion drugs, and for other purposes.

S. 341

At the request of Mr. MORAN, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 341, a bill to amend the Internal

Revenue Code of 1986 to exclude certain broadband grants from gross income.

S. 799

At the request of Mr. BLUMENTHAL, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 799, a bill to amend title XVIII of the Social Security Act to provide Medicare coverage for all physicians' services furnished by doctors of chiropractic within the scope of their license, and for other purposes.

S. 815

At the request of Mr. TESTER, the name of the Senator from Pennsylvania (Mr. FETTERMAN) was added as a cosponsor of S. 815, a bill to award a Congressional Gold Medal to the female telephone operators of the Army Signal Corps, known as the "Hello Girls".

S. 1110

At the request of Mr. CASEY, the name of the Senator from Vermont (Mr. WELCH) was added as a cosponsor of S. 1110, a bill to amend title XVIII of the Social Security Act to rebase the calculation of payments for sole community hospitals and Medicare-dependent hospitals, and for other purposes.

S. 1202

At the request of Mr. VAN HOLLEN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 1202, a bill to require full funding of part A of title I of the Elementary and Secondary Education Act of 1965 and the Individuals with Disabilities Education Act.

S. 1237

At the request of Ms. ERNST, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 1237, a bill to restore the exemption of family farms and small businesses from the definition of assets under title IV of the Higher Education Act of 1965.

S. 1408

At the request of Mr. BOOKER, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1408, a bill to amend title 9, United States Code, with respect to arbitration of disputes involving race discrimination.

S. 1467

At the request of Mr. CARDIN, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 1467, a bill to amend the Internal Revenue Code of 1986 to allow a refundable tax credit against income tax for the purchase of qualified access technology for the blind.

S. 1514

At the request of Mr. RUBIO, the name of the Senator from Louisiana (Mr. CASSIDY) 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. 1570

At the request of Ms. DUCKWORTH, the name of the Senator from Texas

(Mr. CRUZ) was added as a cosponsor of S. 1570, a bill to amend the Bottles and Breastfeeding Equipment Screening Act to require hygienic handling of breast milk and baby formula by security screening personnel of the Transportation Security Administration and personnel of private security companies providing security screening, and for other purposes.

S. 1829

At the request of Mr. RUBIO, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 1829, a bill to impose sanctions with respect to persons engaged in the import of petroleum from the Islamic Republic of Iran, and for other purposes.

S. 1839

At the request of Ms. BALDWIN, the name of the Senator from California (Ms. BUTLER) was added as a cosponsor of S. 1839, a bill to improve Federal population surveys by requiring the collection of voluntary, self-disclosed information on sexual orientation, gender identity, and variations in sex characteristics in certain surveys, and for other purposes.

S. 2415

At the request of Mrs. CAPITO, the name of the Senator from Vermont (Mr. WELCH) 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. 2498

At the request of Mr. MORAN, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 2498, a bill to prohibit unfair and deceptive advertising of prices for hotel rooms and other places of short-term lodging, and for other purposes.

S. 2713

At the request of Mr. CASEY, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 2713, a bill to amend the Food and Nutrition Act of 2008 and the Emergency Food Assistance Act of 1983 to make commodities available for the Emergency Food Assistance Program, and for other purposes.

S. 2757

At the request of Mr. TESTER, the name of the Senator from Michigan (Ms. STABENOW) 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. 2839

At the request of Mr. BRAUN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 2839, a bill to clarify the maximum hiring target for new air traffic controllers, and for other purposes.

S. 3068

At the request of Mr. BRAUN, the names of the Senator from Florida (Mr. SCOTT) and the Senator from Texas (Mr. CRUZ) were added as cosponsors of S. 3068, a bill to require each enterprise to include on the Uniform Residential Loan Application a disclaimer to increase awareness of the direct and guaranteed home loan programs of the Department of Veterans Affairs, and for other purposes.

S. 3074

At the request of Mr. CRUZ, the name of the Senator from Pennsylvania (Mr. FETTERMAN) was added as a cosponsor of S. 3074, a bill to prohibit schools that receive certain support from the Federal Communications Commission from allowing access to social media platforms on subsidized services, devices, or networks, and for other purposes.

S. 3109

At the request of Mr. MARKEY, the names of the Senator from Delaware (Mr. COONS) and the Senator from Wyoming (Ms. LUMMIS) 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. 3144

At the request of Ms. CORTEZ MASTO, the name of the Senator from Arizona (Mr. KELLY) was added as a cosponsor of S. 3144, a bill to protect survivors from brain injury by authorizing the Secretary of Health and Human Services to collect data on the prevalence of brain injuries resulting from domestic and sexual violence.

S. 3192

At the request of Mr. DAINES, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 3192, a bill to designate Ansarallah as a foreign terrorist organization and impose certain sanctions on Ansarallah, and for other purposes.

S. 3196

At the request of Mr. RUBIO, the name of the Senator from Ohio (Mr. VANCE) was added as a cosponsor of S. 3196, a bill to amend title XIX of the Social Security Act to provide a State option to extend Medicaid coverage for foster care children while receiving treatment from a qualified residential treatment program.

S. 3341

At the request of Mr. TESTER, the names of the Senator from Nevada (Ms. CORTEZ MASTO) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. 3341, a bill to improve the emergency management capabilities of the Department of Veterans Affairs, and for other purposes.

S. 3369

At the request of Mr. HEINRICH, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) 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. 3558

At the request of Mr. PETERS, the names of the Senator from Oklahoma (Mr. LANKFORD) and the Senator from Florida (Mr. SCOTT) were added as cosponsors of S. 3558, a bill to prohibit contracting with certain biotechnology providers, and for other purposes.

S. 3609

At the request of Mrs. BLACKBURN, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of S. 3609, a bill to ensure that women seeking an abortion are informed of the medical risks associated with the abortion procedure and the major developmental characteristics of the unborn child, before giving their informed consent to receive an abortion.

S. 3632

At the request of Mr. HAWLEY, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S. 3632, a bill to prohibit the use of Department of Homeland Security grant funds for politically biased activities.

S. 3666

At the request of Mr. BRAUN, the names of the Senator from Michigan (Ms. STABENOW) and the Senator from Tennessee (Mrs. BLACKBURN) were added as cosponsors of S. 3666, a bill to amend the Agricultural Foreign Investment Disclosure Act of 1978 to establish an additional reporting requirement, and for other purposes.

S.J. RES. 4

At the request of Mr. CARDIN, the name of the Senator from California (Ms. BUTLER) was added as a cosponsor of S.J. Res. 4, a joint resolution removing the deadline for the ratification of the Equal Rights Amendment.

S.J. RES. 39

At the request of Mrs. GILLIBRAND, the name of the Senator from California (Ms. BUTLER) was added as a cosponsor of S.J. Res. 39, a joint resolution expressing the sense of Congress that the article of amendment commonly known as the "Equal Rights Amendment" has been validly ratified and is enforceable as the 28th Amendment to the Constitution of the United States, and the Archivist of the United States must certify and publish the Equal Rights Amendment as the 28th Amendment without delay.

S.J. RES. 45

At the request of Mrs. SHAHEEN, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S.J. Res. 45, a joint resolution proposing an amendment to the Constitution of the United States relating to contributions and expenditures intended to affect elections.

S. RES. 534

At the request of Mr. BOOKER, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. Res. 534, a resolution expressing support for the recognition of January as "Muslim-American Heritage Month" and celebrating the heritage and culture of Muslim Americans in the United States.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DURBIN (for himself, Mr. GRAHAM, Mr. HAWLEY, and Ms. KLOBUCHAR):

S. 3696. A bill to improve rights to relief for individuals affected by non-consensual activities involving intimate digital forgeries, and for other purposes; to the Committee on the Judiciary.

Mr. DURBIN. Madam President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 3696

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 "Disrupt Explicit Forged Images and Non-Consensual Edits Act of 2024" or the "DEFIANCE Act of 2024".

SEC. 2. CIVIL ACTION RELATING TO DISCLOSURE OF INTIMATE IMAGES.

(a) DEFINITIONS.—Section 1309(a) of the Consolidated Appropriations Act, 2022 (15 U.S.C. 6851(a)) is amended—

(1) in paragraph (2), by inserting "competent," after "conscious,";

(2) by redesignating paragraphs (5) and (6) as paragraphs (6) and (7), respectively;

(3) by redesignating paragraph (3) as paragraph (5);

(4) by inserting after paragraph (2) the following:

"(3) DIGITAL FORGERY.—The term 'digital forgery' means any intimate visual depiction of an identifiable individual created through the use of software, machine learning, artificial intelligence, or any other computer-generated or technological means, including by adapting, modifying, manipulating, or altering an authentic visual depiction, to appear to a reasonable person to be indistinguishable from an authentic visual depiction of the individual, regardless of whether the visual depiction indicates, through a label or some other form of information published with the visual depiction, that the visual depiction is not authentic.";

(5) in paragraph (5), as so redesignated—

(A) by striking "(5) DEPICTED" and inserting "(5) IDENTIFIABLE"; and

(B) by striking "depicted individual" and inserting "identifiable individual"; and

(6) in paragraph (6)(A), as so redesignated—

(A) in clause (i), by striking "or" and inserting a semicolon;

(B) in clause (ii)—

(i) in subclause (I), by striking "individual;" and inserting "individual; or"; and

(ii) by striking subclause (III); and

(C) by adding at the end the following:

"(iii) an identifiable individual engaging in sexually explicit conduct; and"

(b) CIVIL ACTION.—Section 1309(b) of the Consolidated Appropriations Act, 2022 (15 U.S.C. 6851(b)) is amended—

(1) in paragraph (1)—

(A) by striking paragraph (A) and inserting the following:

"(A) IN GENERAL.—Except as provided in paragraph (5)—

"(i) an identifiable individual whose intimate visual depiction is disclosed, in or affecting interstate or foreign commerce or using any means or facility of interstate or foreign commerce, without the consent of the identifiable individual, where such disclosure was made by a person who knows or recklessly disregards that the identifiable individual has not consented to such disclosure, may bring a civil action against that person in an appropriate district court of the United States for relief as set forth in paragraph (3);

"(ii) an identifiable individual who is the subject of a digital forgery may bring a civil action in an appropriate district court of the United States for relief as set forth in paragraph (3) against any person that knowingly produced or possessed the digital forgery with intent to disclose it, or knowingly disclosed or solicited the digital forgery, if—

"(I) the identifiable individual did not consent to such production, disclosure, solicitation, or possession;

"(II) the person knew or recklessly disregarded that the identifiable individual did not consent to such production, disclosure, solicitation, or possession; and

"(III) such production, disclosure, solicitation, or possession is in or affects interstate or foreign commerce or uses any means or facility of interstate or foreign commerce; and

"(iii) an identifiable individual who is the subject of a digital forgery may bring a civil action in an appropriate district court of the United States for relief as set forth in paragraph (3) against any person that knowingly produced the digital forgery if—

"(I) the identifiable individual did not consent to such production;

"(II) the person knew or recklessly disregarded that the identifiable individual did not consent to such production; and

"(III) such production is in or affects interstate or foreign commerce or uses any means or facility of interstate or foreign commerce.";

(B) in subparagraph (B)—

(i) in the heading, by inserting "IDENTIFIABLE" before "INDIVIDUALS"; and

(ii) by striking "an individual who is under 18 years of age, incompetent, incapacitated, or deceased, the legal guardian of the individual" and inserting "an identifiable individual who is under 18 years of age, incompetent, incapacitated, or deceased, the legal guardian of the identifiable individual";

(2) in paragraph (2)—

(A) in subparagraph (A)—

(i) by inserting "identifiable" before "individual";

(ii) by striking "depiction" and inserting "intimate visual depiction or digital forgery"; and

(iii) by striking "distribution" and inserting "disclosure, solicitation, or possession"; and

(B) in subparagraph (B)—

(i) by inserting "identifiable" before individual;

(ii) by inserting "or digital forgery" after each place the term "depiction" appears; and

(iii) by inserting “, solicitation, or possession” after “disclosure”;

(3) by redesignating paragraph (4) as paragraph (5);

(4) by striking paragraph (3) and inserting the following:

“(3) RELIEF.—In a civil action filed under this section—

“(A) an identifiable individual may recover the actual damages sustained by the individual or liquidated damages in the amount of \$150,000, and the cost of the action, including reasonable attorney’s fees and other litigation costs reasonably incurred; and

“(B) the court may, in addition to any other relief available at law, order equitable relief, including a temporary restraining order, a preliminary injunction, or a permanent injunction ordering the defendant to cease display or disclosure of the intimate visual depiction or digital forgery.

“(4) PRESERVATION OF PRIVACY.—In a civil action filed under this section, the court may issue an order to protect the privacy of a plaintiff, including by—

“(A) permitting the plaintiff to use a pseudonym;

“(B) requiring the parties to redact the personal identifying information of the plaintiff from any public filing, or to file such documents under seal; and

“(C) issuing a protective order for purposes of discovery, which may include an order indicating that any intimate visual depiction or digital forgery shall remain in the care, custody, and control of the court.”;

(5) in paragraph (5)(A), as so redesignated—

(A) by striking “image” and inserting “visual depiction or digital forgery”; and

(B) by striking “depicted” and inserting “identifiable”; and

(6) by adding at the end the following:

“(6) STATUTE OF LIMITATIONS.—Any action commenced under this section shall be barred unless the complaint is filed not later than 10 years from the later of—

“(A) the date on which the identifiable individual reasonably discovers the violation that forms the basis for the claim; or

“(B) the date on which the identifiable individual reaches 18 years of age.

“(7) DUPLICATIVE RECOVERY BARRED.—No relief may be ordered under paragraph (3) against a person who is subject to a judgment under section 2255 of title 18, United States Code, for the same conduct involving the same identifiable individual and the same intimate visual depiction or digital forgery.”

(C) CONTINUED APPLICABILITY OF FEDERAL, STATE, AND TRIBAL LAW.—

(1) IN GENERAL.—This Act shall not be construed to impair, supersede, or limit a provision of Federal, State, or Tribal law.

(2) NO PREEMPTION.—Nothing in this Act shall prohibit a State or Tribal government from adopting and enforcing a provision of law governing nonconsensual activity involving a digital forgery, as defined in section 1309(a) of the Consolidated Appropria-

tions Act, 2022 (15 U.S.C. 6851(a)), as amended by this Act, that is at least as protective of the rights of a victim as this Act.

SEC. 3. SEVERABILITY.

If any provision of this Act, an amendment made by this Act, or the application of such a provision or amendment to any person or circumstance, is held to be unconstitutional, the remaining provisions of and amendments made by this Act, and the application of the provision or amendment held to be unconstitutional to any other person or circumstance, shall not be affected thereby.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 535—RECOGNIZING JANUARY 30, 2024, AS “HELP AMERICA VOTE DAY”

Ms. KLOBUCHAR (for herself and Mrs. FISCHER) submitted the following resolution; which was considered and agreed to:

Resolved, That the Senate—

(1) recognizes January 30, 2024, as “Help America Vote Day”;

(2) recognizes the need for, and appreciation of, the service of poll workers;

(3) encourages eligible people to help American citizens to vote in the 2024 elections by serving as poll workers; and

(4) encourages voters to contact or visit the website of their local election office for accurate and up-to-date information on voter registration and casting a ballot.

RECOGNIZING JANUARY 30, 2024, AS HELP AMERICA VOTE DAY

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 535, submitted earlier today.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 535) recognizing January 30, 2024, as “Help America Vote Day”.

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

Mr. SCHUMER. I ask unanimous consent that the resolution be agreed to and 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 resolution (S. Res. 535) was agreed to.

(The resolution is printed in today’s RECORD under “Submitted Resolutions.”)

ORDERS FOR WEDNESDAY, JANUARY 31, 2024

Mr. SCHUMER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 10 a.m. on Wednesday, January 31; 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 resume consideration of the Mehalchick nomination; further, that notwithstanding rule XXII, at 11:30 a.m., the Senate vote on confirmation of the Sherriff nomination, followed immediately by a vote on cloture on the Mehalchick nomination; that the Senate recess following the cloture vote until 2:15 p.m. to allow for the weekly caucus meetings; that if cloture has been invoked on the Mehalchick nomination, all time be considered expired at 2:15 p.m.; and that if cloture has been invoked on the Goffman nomination, all time be considered expired at 5:30 p.m.; finally, that if any nominations are confirmed during Wednesday’s session, 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. Without objection, it is so ordered.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

The PRESIDING OFFICER. 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 6:39 p.m., adjourned until Wednesday, January 31, 2024, at 10 a.m.

CONFIRMATION

Executive nomination confirmed by the Senate January 30, 2024:

THE JUDICIARY

JOSHUA PAUL KOLAR, OF INDIANA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE SEVENTH CIRCUIT.