

## 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. 533.

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 legislative clerk read the nomination of Jennifer Sung, of Oregon, to be United States Circuit Judge for the Ninth Circuit.

## 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 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. 533, Jennifer Sung, of Oregon, to be United States Circuit Judge for the Ninth Circuit.

Charles E. Schumer, Richard J. Durbin, Debbie Stabenow, Chris Van Hollen, Kirsten E. Gillibrand, Christopher A. Coons, Benjamin L. Cardin, Patty Murray, Alex Padilla, Tina Smith, Ben Ray Lujan, Sheldon Whitehouse, Mazie Hirono, Elizabeth Warren, Jeff Merkley, Cory A. Booker, Brian Schatz.

## 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. 576.

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 legislative clerk read the nomination of Samantha D. Elliott, of New Hampshire, to be United States District Judge for the District of New Hampshire.

## 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 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. 576 Samantha D. Elliott, of New Hampshire, to be United States District Judge for the District of New Hampshire.

Charles E. Schumer, Richard J. Durbin, Tina Smith, Martin Heinrich, Elizabeth Warren, Patty Murray, Tammy Duckworth, Tim Kaine, Gary C. Peters, Angus S. King, Jr., Brian Schatz, Margaret Wood Hassan, Jacky Rosen, Chris Van Hollen, Jeanne Shaheen, Christopher Murphy, Ron Wyden.

Mr. SCHUMER. I ask unanimous consent that the mandatory quorum calls for the cloture motions filed today, December 7, be waived.

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

## 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 ask unanimous consent that the Senate proceed to executive session to consider the following nominations en bloc: Calendar No. 583, No. 584; that the Senate vote on the nominations en bloc without intervening action or debate; that the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that any statements related to the nominations be printed in the RECORD; that the President be immediately notified of the Senate's action; and that the Senate resume legislative session.

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

The question is, Will the Senate advise and consent to the nominations of Brandon B. Brown, of Louisiana, to be United States Attorney for the Western District of Louisiana for the term of four years; and Ronald C. Gathe, Jr., of Louisiana, to be United States Attorney for the Middle District of Louisiana for the term of four years, en bloc?

The nominations were confirmed en bloc.

## LEGISLATIVE SESSION

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

## BETTER CYBERCRIME METRICS ACT

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 173, S. 2629.

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

The senior assistant legislative clerk read as follows:

A bill (S. 2629) to establish cybercrime reporting mechanisms, and for other purposes.

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

Mr. SCHUMER. I further ask that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The bill (S. 2629) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 2629

*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 "Better Cybercrime Metrics Act".

## SEC. 2. FINDINGS.

Congress finds the following:

(1) Public polling indicates that cybercrime could be the most common crime in the United States.

(2) The United States lacks comprehensive cybercrime data and monitoring, leaving the country less prepared to combat cybercrime that threatens national and economic security.

(3) In addition to existing cybercrime vulnerabilities, the people of the United States and the United States have faced a heightened risk of cybercrime during the COVID-19 pandemic.

(4) Subsection (c) of the Uniform Federal Crime Reporting Act of 1988 (34 U.S.C. 41303(c)) requires the Attorney General to "acquire, collect, classify, and preserve national data on Federal criminal offenses as part of the Uniform Crime Reports" and requires all Federal departments and agencies that investigate criminal activity to "report details about crime within their respective jurisdiction to the Attorney General in a uniform matter and on a form prescribed by the Attorney General".

## SEC. 3. CYBERCRIME TAXONOMY.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Attorney General shall seek to enter into an agreement with the National Academy of Sciences to develop a taxonomy for the purpose of categorizing different types of cybercrime and cyber-enabled crime faced by individuals and businesses.

(b) DEVELOPMENT.—In developing the taxonomy under subsection (a), the National Academy of Sciences shall—

(1) ensure the taxonomy is useful for the Federal Bureau of Investigation to classify cybercrime in the National Incident-Based Reporting System, or any successor system;

(2) consult relevant stakeholders, including—

(A) the Cybersecurity and Infrastructure Security Agency of the Department of Homeland Security;

(B) Federal, State, and local law enforcement agencies;

(C) criminologists and academics;

(D) cybercrime experts; and

(E) business leaders; and

(3) take into consideration relevant taxonomies developed by non-governmental organizations, international organizations, academies, or other entities.

(c) **REPORT.**—Not later than 1 year after the date on which the Attorney General enters into an agreement under subsection (a), the National Academy of Sciences shall submit to the appropriate committees of Congress a report detailing and summarizing—

(1) the taxonomy developed under subsection (a); and

(2) any findings from the process of developing the taxonomy under subsection (a).

(d) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this section \$1,000,000.

#### SEC. 4. CYBERCRIME REPORTING.

(a) **IN GENERAL.**—Not later than 2 years after the date of enactment of this Act, the Attorney General shall establish a category in the National Incident-Based Reporting System, or any successor system, for the collection of cybercrime and cyber-enabled crime reports from Federal, State, and local officials.

(b) **RECOMMENDATIONS.**—In establishing the category required under subsection (a), the Attorney General shall, as appropriate, incorporate recommendations from the taxonomy developed under section 3(a).

#### SEC. 5. NATIONAL CRIME VICTIMIZATION SURVEY.

(a) **IN GENERAL.**—Not later than 540 days after the date of enactment of this Act, the Director of the Bureau of Justice Statistics, in coordination with the Director of the Bureau of the Census, shall include questions relating to cybercrime victimization in the National Crime Victimization Survey.

(b) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this section \$2,000,000.

#### SEC. 6. GAO STUDY ON CYBERCRIME METRICS.

Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report that assesses—

(1) the effectiveness of reporting mechanisms for cybercrime and cyber-enabled crime in the United States; and

(2) disparities in reporting data between—  
(A) data relating to cybercrime and cyber-enabled crime; and

(B) other types of crime data.

**PROVIDING FOR THE USE OF THE CATAFALQUE SITUATED IN THE EXHIBITION HALL OF THE CAPITOL VISITOR'S CENTER IN CONNECTION WITH MEMORIAL SERVICES TO BE CONDUCTED IN THE ROTUNDA OF THE CAPITOL FOR THE HONORABLE ROBERT JOSEPH DOLE, A SENATOR FROM THE STATE OF KANSAS**

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Con. Res. 22, which was submitted earlier today.

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

The senior assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 22) providing for the use of the catafalque situated in the Exhibition Hall of the Capitol Visitor Center in connection with memorial services to be conducted in the rotunda of

the Capitol for the Honorable Robert Joseph Dole, a Senator from the State of Kansas.

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

Mr. SCHUMER. I ask unanimous consent that the concurrent resolution be agreed to and that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The concurrent resolution (S. Con. Res. 22) was agreed to.

(The concurrent resolution is printed in today's RECORD under "Submitted Resolutions.")

**AUTHORIZING THE USE OF THE ROTUNDA OF THE CAPITOL FOR THE LYING IN STATE OF THE REMAINS OF THE HONORABLE ROBERT JOSEPH DOLE, A SENATOR FROM THE STATE OF KANSAS**

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to consideration of S. Con. Res. 23, submitted earlier today.

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

The clerk will report the concurrent resolution by title.

The senior assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 23) authorizing the use of the rotunda of the Capitol for the lying in state of the remains of the Honorable Robert Joseph Dole, a Senator from the State of Kansas.

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

Mr. SCHUMER. I ask unanimous consent that the concurrent 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 concurrent resolution (S. Con. Res. 23) was agreed to.

(The concurrent resolution is printed in today's RECORD under "Submitted Resolutions.")

#### UNANIMOUS CONSENT AGREEMENT

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Notice of Proposed Rulemaking from the Office of Congressional Workplace Rights be printed in the RECORD.

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

#### RECOGNIZING YOSHI'S CAFE

Mr. DURBIN. Mr. President, a famous chef once said that "a plate of food was a plate of hope." At Yoshi's Cafe in Chicago, the meals were that—and so much more. Every meal—every

bite—at Yoshi's was a celebration and a discovery of new tastes and new combinations of tastes.

When Yoshi's Cafe opened 39 years ago, it was on the vanguard of "fusion cuisine," cooking that combines the best of different cultures. In Yoshi's case, it was an exquisite mix of classical French and Japanese cooking traditions. Over the years, Yoshi's also incorporated bits of cuisines, such as hint of Mexican cooking, into their dishes. But the true signature ingredients of any meal at Yoshi's Cafe were pride and love.

Every meal was a chance for founder Yoshi Katsumura to share his impeccable culinary skill and imagination. And every customer was treated like a friend. If you went often enough, as my wife Loretta and I have, you became part of the family. That combination of personal warmth and impeccable food has made Yoshi's Cafe one of Chicago's truly great neighborhood restaurants.

This weekend, Yoshi's Cafe will serve its last meal—and Loretta and I plan to be there. We wouldn't miss the chance to eat one last time at one of our favorite restaurants.

Chicagoans feared this day might come sooner. When founder Yoshi Katsumura died in 2015, we wondered if that might be the end of Yoshi's Cafe as well. But Yoshi asked his wife Nobuko to try to preserve his legacy and the business they had built together. And she did.

With the help of her son, chef Ken Katsumura, Nobuko kept Yoshi's Cafe open, even through a lethal pandemic that devastated the restaurant industry. Her daughter, Mari, has made a name for herself as a top-ranked pastry chef in Chicago.

After some soul-searching, however, Nobuko has decided that it's time for a new chapter—time to spend a little more time with her grandchildren and enjoying life.

Like countless other Chicagoans, Loretta and I feel a touch of sadness about the closing of Yoshi's Cafe. But we also feel tremendously grateful for the memorable meals we have enjoyed there and for the gift of Yoshi and Nobuko's friendship over the years.

I once showed up at the restaurant on a Monday evening, forgetting that it was closed. I stood for a moment on the sidewalk of North Halsted Street, stranded and hungry, trying to decide where to eat. Just as I was about to leave, I heard someone call my name.

It was Yoshi, who lived above the restaurant, calling down to me and offering to fix me a meal on his day off. That was the moment I came to see the goodness of this man. And Nobuko is just as kind and giving.

Yoshi's Cafe brought together the foods of Tokyo, Paris, Lyon, and Chicago. Yoshi was born in Japan. At the age of 20, he apprenticed under another legendary chef, Hiroyuki Sakai in Tokyo, where he first learned the intricacies of fine French cooking.

In 1973, he moved to Chicago, where he studied under one of Chicago's first