

combination of bills that are both Republican and Democratic bills, including one from the Senator who is presiding today. It includes a bill from Senator ROUNDS of South Dakota dealing with the loan process for Native American veterans. It includes a couple of pieces of legislation: the RESPECT Act, to help veterans with mental health or neurological conditions to get caregiver care; the Elizabeth Dole Act, to expand home- and community-based, long-term care programs so that veterans have more choices as they age; and the bill of the Presiding Officer that provides grants to county veterans service officers for outreach to veterans. In addition, it includes what has been perhaps the most discussed aspect of this piece of legislation: a bill that creates the authorization to allow for medical research for marijuana to be conducted—for cannabis to be conducted by the Department of Veterans Affairs. But it requires retrospective research to take a look at the research that has already been conducted and to go and conduct research with veterans who are currently using cannabis. The outcome of that study is unknown, but this is an effort to make certain that veterans are not doing something that is harmful to them and to make an informed decision several years from now about the relationship between veterans and cannabis.

The point I would like to make in my few comments today is that I have encouraged my colleagues to offer amendments. There are a lot of items that my particularly Republican colleagues—I understand there are Democratic colleagues who have amendments. While we have had some success this year in amendments coming to the Senate floor, I want to make certain that is the opportunity Republican colleagues and Democratic colleagues have as this bill—if it proceeds, that we have that opportunity.

I had those conversations with both the majority and the minority, and I look forward to enforcing as best I can the capability to make certain my colleagues have that opportunity. If that is not the case, I reserve the right to then oppose this legislation.

I yield the floor.

CLOTURE MOTION

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

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 motion to proceed to Calendar No. 32, S. 326, a bill to direct the Secretary of Veterans Affairs to carry out a study and clinical trials on the effects of cannabis on certain health outcomes of veterans with chronic pain and post-traumatic stress disorder, and for other purposes.

Charles E. Schumer, Jon Tester, Alex Padilla, Christopher Murphy, Jeff

Merkley, Michael F. Bennet, Tammy Baldwin, Richard J. Durbin, Mazie Hirono, Gary C. Peters, Margaret Wood Hassan, Brian Schatz, Tammy Duckworth, Catherine Cortez Masto, Cory A. Booker, Jack Reed, Raphael G. Warnock.

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

The question is, Is it the sense of the Senate that debate on the motion to proceed to S. 326, a bill to direct the Secretary of Veterans Affairs to carry out a study and clinical trials on the effects of cannabis on certain health outcomes of veterans with chronic pain and post-traumatic stress disorder, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

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

The yeas and nays resulted—yeas 57, nays 42, as follows:

[Rollcall Vote No. 97 Ex.]

YEAS—57

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

NAYS—42

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

NOT VOTING—1

Feinstein

The PRESIDING OFFICER (Mr. MURPHY). On this vote, the yeas are 57, the nays are 42.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The majority leader.

MOTION TO RECONSIDER

Mr. SCHUMER. Mr. President, first, to just inform folks, in our arcane processes in the Senate, I have to switch my vote from yes to no—even though I am a strong yes—in order to be able to reconsider this vote.

So I enter a motion to reconsider.

The PRESIDING OFFICER. The motion is entered.

Mr. SCHUMER. Mr. President, it is regrettable that this bill, which so much helps our veterans, went down. Our veterans need it. It was supported by all of our veterans groups. It had bipartisan, unanimous support in committee, and I hope that some of our Members on the other side of the aisle who didn't vote for it will reconsider.

ORDER OF PROCEDURE

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate resume legislative session; that the Committee on Environment and Public Works be discharged from further consideration of S.J. Res. 11; that the Senate proceed to its immediate consideration; that at 4:20 p.m., the joint resolution be considered read the third time and the Senate vote on passage without any further intervening action or debate; and that, upon disposition of S.J. Res. 11, the Senate resume the motion to proceed to S.J. Res. 4, the Equal Rights Amendment.

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

Mr. SCHUMER. I yield the floor.

LEGISLATIVE SESSION

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

PROVIDING FOR CONGRESSIONAL DISAPPROVAL UNDER CHAPTER 8 OF TITLE 5, UNITED STATES CODE, OF THE RULE SUBMITTED BY THE ENVIRONMENTAL PROTECTION AGENCY RELATING TO "CONTROL OF AIR POLLUTION FROM NEW MOTOR VEHICLES: HEAVY-DUTY ENGINE AND VEHICLE STANDARDS"

The PRESIDING OFFICER. Under the previous order, the Committee on Environment and Public Works is discharged from further consideration of S.J. Res. 11, and the clerk will report the measure.

The legislative clerk read as follows:

A joint resolution (S.J. Res. 11) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Environmental Protection Agency relating to "Control of Air Pollution From New Motor Vehicles: Heavy-Duty Engine and Vehicle Standards".

The PRESIDING OFFICER. The Senator from Missouri.

JUSTICE FOR JANA ELEMENTARY ACT OF 2023

Mr. HAWLEY. Mr. President, in October of this past year, the parents and students of Jana Elementary School in Florissant, MO—that is in the greater St. Louis area—woke to find news of an independent study that had found nuclear radioactive contamination inside the school building at Jana Elementary. Now, sadly, this probably didn't come as a total shock to those residents who have lived in Florissant and in the surrounding area because for

years now—for years—this community has had to deal with the fallout of the Federal Government's own nuclear program and the waste left over from it dating back to the 1940s, which was then effectively dumped in St. Louis, made its way into the water, into the soil, and now into a stream that runs right by this elementary school.

So the school board wisely said: We should do a study. Let's find out if it is in the school.

Independent results came back and said it was in the dust, on the windowsills of the school—radioactive material. The school board met. They shut down the school. Parents had kids at home for months.

Then comes the first of this year. The school board said: We can't in good conscience reopen it.

Now what is happening? The school is closed. The kids are having to be bused to other locations, driven to schools outside of their neighborhood.

This a working-class community. These are hard-working folks. They don't have the resources lying around to send their kids to other schools or to pay to move. If they did, they would. They don't. They are just trying to live their lives, work a job, get their kids a decent education. And, instead, they have had to deal with this.

The worst part about it is the Federal Government refused to clean it up. When this news broke, the Army Corps of Engineers said: Oh, there is nothing wrong with the school. We have tested it a million times. It is fine.

In fact, they held a press conference today in which they said the same thing: Trust us. It is fine. It is fine.

I don't think any of them are sending their kids there. But trust us, they say; it is fine.

When I and the school board and the parents said to the Army Corps of Engineers: You need to retest; you need to test the entire school district—then they pointed fingers and said: Oh, no, it is the Department of Energy; it is their problem.

So then, when we went to the Department of Energy, they said: Oh, no, we can't do anything. It is the Army Corps' problem.

The Biden administration has spent the last 8 months now pointing fingers at each other, saying why they can't do this; they can't do that. The kids are just out of luck.

I just notice this. When that bank in California full of billionaires—who are also, not incidentally, major political contributors—had a problem, boy, this government moved lickety-split to bail them out. How many billions did this government spend to bail out the SVB shareholders and stakeholders and depositors? They got their bailout in no time flat.

These kids? Nothing. Can't even get a response. Do you know the Biden administration won't even respond to me? So fine. We will do it ourselves.

I have introduced legislation that will order testing in the entire school

district, that will mandate a cleanup of the school, and, if necessary, build these kids a new school.

The Federal Government caused this problem. The Federal Government should fix this problem. And just because these kids aren't billionaires or big-time political contributors or connected politically doesn't mean that they can be ignored. It doesn't mean that their lives don't matter.

I would just note this. Last week, the Secretary of Energy, Jennifer Granholm, when I talked to her about this bill in a public forum—I asked her in the hearing—she said that she would support the legislation.

And who couldn't, Mr. President? Who couldn't support having the Federal Government clean up its own mess and getting some justice for these kids at Jana Elementary?

And I will just say this. This community in St. Louis has been asked to live with the fallout of the Federal Government's actions for decades—this is just the latest instance—for decades. The cancer rates, the rates of disease, autoimmune disorders, they are off the charts in this community, and for years these folks have been told: Just shut up, and it will be fine.

Well, it is not fine, and today we are going to get some justice for these kids. Today we are going to start the cleanup process that should have happened decades ago.

So I ask unanimous consent that the Committee on Environment and Public Works be discharged from further consideration of S. 418 and the Senate proceed to its immediate consideration.

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

The bill clerk read as follows:

A bill (S. 418) to provide financial assistance to schools impacted by radioactive contaminants, and for other purposes.

There being no objection, the committee was discharged, and the Senate proceeded to consider the bill.

Mr. HAWLEY. Mr. President, I ask unanimous consent that the bill be considered read a third time.

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

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

Mr. HAWLEY. I know of no further debate on the bill.

The PRESIDING OFFICER. If there is no further debate on the bill, the bill having been read the third time, the question is, Shall the bill pass?

The bill (S. 418) was passed as follows:

S. 418

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 “Justice for Jana Elementary Act of 2023”.

SEC. 2. DEFINITIONS.

In this Act:

(1) COVERED SCHOOL.—The term “covered school” means a school that is part of the

Hazelwood School District in the State of Missouri.

(2) FUND.—The term “Fund” means the Radioactive School Assistance Fund established under section 4(a).

(3) IMPACTED SCHOOL.—The term “impacted school” means a public elementary school or secondary school—

(A) that closed on or after January 1, 2020; and

(B) where the Formerly Utilized Sites Remedial Action Program of the Corps of Engineers detected radiation above background levels—

(i) on school property; or

(ii) otherwise, within 1000 feet of a building containing classrooms or other educational facilities of the school.

(4) JANA ELEMENTARY SCHOOL.—The term “Jana Elementary School” means the school located at 405 Jana Drive in Florissant, Missouri.

(5) LOCAL EDUCATIONAL AGENCY.—The term “local educational agency” has the meaning given the term in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(6) NATIONAL CONTINGENCY PLAN.—The term “National Contingency Plan” means the National Contingency Plan—

(A) prepared and published under section 311(d) of the Federal Water Pollution Control Act (33 U.S.C. 1321(d)); or

(B) revised under section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9605).

(7) PROGRAM.—The term “Program” means the Radioactive School Assistance Program established in accordance with section 4(b).

(8) SECRETARY.—The term “Secretary” means the Secretary of Energy.

(9) VICINITY PROPERTY.—The term “vicinity property” has the meaning given the term in the Engineer Regulation ER 200-1-4 of the Corps of Engineers entitled “Formerly Utilized Sites Remedial Action Program” and dated August 29, 2014 (or a successor document).

SEC. 3. REMEDIATION OF JANA ELEMENTARY SCHOOL.

Consistent with the requirements and obligations under the Formerly Utilized Sites Remedial Action Program of the Corps of Engineers, the Secretary of the Army shall—

(1) not later than 120 days after the date of the enactment of this Act, establish new remediation goals for Jana Elementary School that will result in the removal of all radioactive contamination at Jana Elementary School such that no portion of the site is subjected to radiation above background levels; and

(2) after establishing remediation goals under paragraph (1), carry out activities necessary to achieve those goals.

SEC. 4. FINANCIAL ASSISTANCE FOR SCHOOLS WITH RADIOACTIVE CONTAMINATION.

(a) RADIOACTIVE SCHOOL ASSISTANCE FUND.—

(1) ESTABLISHMENT.—There is established in the Treasury of the United States a fund to be known as the Radioactive School Assistance Fund to carry out the reimbursement program described in subsection (b).

(2) FUNDING.—The Fund shall consist of amounts appropriated pursuant to the authorization of appropriations under section 7.

(b) RADIOACTIVE SCHOOL ASSISTANCE PROGRAM.—Not later than 30 days after the date of the enactment of this Act, the Secretary shall establish and implement a program to be known as the “Radioactive School Assistance Program” to provide financial assistance in accordance with subsection (c) to

local educational agencies that have been financially impacted by the presence of radioactive contaminants stemming from the atomic energy activities of the United States Government.

(C) APPLICATIONS FOR FINANCIAL ASSISTANCE.—

(1) REIMBURSEMENT FOR TESTING.—

(A) IN GENERAL.—The Secretary shall provide financial assistance to each local educational agency that submits to the Secretary an application that includes—

(i) a certification that the local educational agency incurred expenses while testing for radioactive contaminants at an impacted school;

(ii) proof of such expenses; and

(iii) proof that such testing—

(I) led to further testing under the Formerly Utilized Sites Remedial Action Program of the Corps of Engineers; or

(II) was undertaken following testing by a private entity that found radioactive contamination.

(B) LIMITATIONS.—Financial assistance provided to a local educational agency under this paragraph shall not exceed the amount expended by such local educational agency to test for radioactive contamination.

(2) FUNDING FOR CONSTRUCTION.—

(A) IN GENERAL.—The Secretary shall provide financial assistance for the construction of a new school building to each local educational agency that submits to the Secretary an application that includes the following:

(i) A plan for the construction of a new school building.

(ii) Documentation that a school under the jurisdiction of the local educational agency is an impacted school.

(iii) A budget for the construction of a new school building.

(iv) A certification that the local educational agency shall only use financial assistance provided under this paragraph for 1 or more of the following purposes:

(I) To purchase land for the construction of a new school building.

(II) To construct a new school building to replace an impacted school.

(B) LIMITATIONS.—

(i) AMOUNT OF FUNDING.—Financial assistance provided to a local educational agency under this paragraph shall not exceed \$20,000,000 for each impacted school.

(ii) USE OF FUNDS.—A local educational agency that receives financial assistance under this paragraph may only use such financial assistance for 1 or more of the following purposes:

(I) To purchase land for the construction of a new school building.

(II) To construct a new school building to replace an impacted school.

(3) CONSIDERATIONS.—The Secretary may not reject an application submitted by a local educational agency for financial assistance under this subsection due to prior remediation by the Corps of Engineers or any other relevant Federal agency of an impacted school under the jurisdiction of such local educational agency.

(d) REPORTS.—Not later than 60 days after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the Program, which shall include—

(1) a description of the number of applications submitted under this section; and

(2) a description of the amount of financial assistance provided to local educational agencies under this section.

SEC. 5. INVESTIGATION OF SCHOOLS IN HAZELWOOD SCHOOL DISTRICT FOR CONTAMINATES.

(a) DESIGNATION.—Notwithstanding any other provision of law, each covered school shall be designated as a vicinity property of

the St. Louis Airport Site of the Formerly Utilized Sites Remedial Action Program of the Corps of Engineers.

(b) INVESTIGATION.—

(1) IN GENERAL.—The Secretary of the Army shall investigate and characterize each covered school in accordance with the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.) and the National Contingency Plan, including, at a minimum, carrying out a preliminary assessment and site inspection of each covered school.

(2) INCLUSION.—An investigation of a covered school under paragraph (1) shall include on-site investigatory efforts and sampling in accordance with section 300.420(c)(2) of title 40, Code of Federal Regulations (as in effect on the date of enactment of this Act).

(c) REPORTS.—The Secretary of the Army shall develop and make available to the public, for each covered school, a report that includes the results of the investigation under subsection (b), including—

(1) the results of the on-site investigatory efforts;

(2) a summary of the results of sampling under paragraph (2) of that subsection for contaminants of concern, including the average and highest detected levels of each contaminant of concern; and

(3) an evaluation of the danger posed to students and employees of the covered school by the levels of contamination.

(d) COMMUNITY RELATIONS.—In carrying out this section, the Secretary of the Army shall comply with all applicable requirements relating to community relations and public notification under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.), section 311 of the Federal Water Pollution Control Act (33 U.S.C. 1321), and sections 300.415, 300.430, and 300.435 of title 40, Code of Federal Regulations (as in effect on the date of enactment of this Act).

SEC. 6. REVIEW AND REPORT OF RADIOACTIVE TESTING AT JANA ELEMENTARY SCHOOL.

(a) REVIEW.—Not later than 30 days after the date of the enactment of this Act, the Secretary shall review the methodology and results of all tests for radioactive contaminants conducted at Jana Elementary School, including—

(1) tests conducted by the Corps of Engineers;

(2) tests conducted by Boston Chemical Data Corporation; and

(3) tests commissioned by the Hazelwood School District in the State of Missouri.

(b) REPORT.—

(1) IN GENERAL.—Not later than 45 days after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the review required by subsection (a).

(2) CONTENTS.—The report required by paragraph (1) shall include—

(A) for each test described in subsection (a), an evaluation of—

(i) the reliability of the methodology used—

(I) to conduct such test; and

(II) to evaluate the results of such test; and

(ii) the reliability of the opinions contained in any report summarizing the test; and

(B) an evaluation of the danger posed to children by any radioactive contaminants found at Jana Elementary School.

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated for fiscal year 2023 \$25,000,000 to carry out this Act.

Mr. HAWLEY. Mr. President, I ask unanimous consent that the motion to

reconsider be considered made and laid upon the table.

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

Mr. HAWLEY. I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

UDALL FOUNDATION REAUTHORIZATION ACT OF 2023

Mr. KELLY. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 1311, a bill to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, which was introduced earlier today.

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

The bill clerk read as follows:

A bill (S. 1311) to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes.

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

Mr. KELLY. I further ask that the bill be considered read three times 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. 1311) was ordered to be engrossed for a third reading, was read the third time, and passed as follows:

S. 1311

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 “Udall Foundation Reauthorization Act of 2023”.

SEC. 2. REAUTHORIZATION OF THE UDALL FOUNDATION TRUST FUND.

Section 13 of the Morris K. Udall and Stewart L. Udall Foundation Act (20 U.S.C. 5609) is amended—

(1) in subsection (a), by striking “2023” and inserting “2028”;

(2) in subsection (b), in the matter preceding paragraph (1), by striking “2023” and inserting “2028”; and

(3) in subsection (c), by striking “5-fiscal year period” and all that follows through the period at the end and inserting “5-fiscal year period beginning with fiscal year 2024.”.

Mr. KELLY. Mr. President, this legislation would reauthorize a Federal foundation, the Morris K. Udall and Stewart L. Udall Foundation Act, which was established to honor the legacy of two great Arizonans: Morris and Stewart Udall.

The Udall Foundation honors the legacy of the Udalls by awarding scholarships, fellowships, and internships for study related to the environment and for American Indians and Alaska Natives to study healthcare and Tribal public policy. The foundation also supports the Udall Center for Studies in Public Policy and the Native Nations Institute to conduct research on environmental policy, American Indian and Alaska Native healthcare issues, Tribal policy, and training.

My predecessor, Senator John McCain, was a longtime supporter of