

days in advance that such attendance is important to the national interest: *Provided*, That for purposes of this section the term “international conference” shall mean a conference occurring outside of the United States attended by representatives of the United States Government and of foreign governments, international organizations, or nongovernmental organizations.

SEC. 413. None of the funds appropriated or otherwise made available under this Act may be used by the Surface Transportation Board to charge or collect any filing fee for rate or practice complaints filed with the Board in an amount in excess of the amount authorized for district court civil suit filing fees under section 1914 of title 28, United States Code.

SEC. 414. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

SEC. 415. (a) None of the funds made available in this Act may be used to deny an Inspector General funded under this Act timely access to any records, documents, or other materials available to the department or agency over which that Inspector General has responsibilities under the Inspector General Act of 1978 (5 U.S.C. App.), or to prevent or impede that Inspector General’s access to such records, documents, or other materials, under any provision of law, except a provision of law that expressly refers to the Inspector General and expressly limits the Inspector General’s right of access.

(b) A department or agency covered by this section shall provide its Inspector General with access to all such records, documents, and other materials in a timely manner.

(c) Each Inspector General shall ensure compliance with statutory limitations on disclosure relevant to the information provided by the establishment over which that Inspector General has responsibilities under the Inspector General Act of 1978 (5 U.S.C. App.).

(d) Each Inspector General covered by this section shall report to the Committees on Appropriations of the House of Representatives and the Senate within 5 calendar days any failures to comply with this requirement.

SEC. 416. None of the funds appropriated or otherwise made available by this Act may be used to pay award or incentive fees for contractors whose performance has been judged to be below satisfactory, behind schedule, over budget, or has failed to meet the basic requirements of a contract, unless the Agency determines that any such deviations are due to unforeseeable events, government-driven scope changes, or are not significant within the overall scope of the project and/or program unless such awards or incentive fees are consistent with 16.401(e)(2) of the Federal Acquisition Regulations.

SEC. 417. No part of any appropriation contained in this Act shall be available to pay the salary for any person filling a position, other than a temporary position, formerly held by an employee who has left to enter the Armed Forces of the United States and has satisfactorily completed his or her period of active military or naval service, and has within 90 days after his or her release from such service or from hospitalization continuing after discharge for a period of not more than 1 year, made application for restoration to his or her former position and has been certified by the Office of Personnel

Management as still qualified to perform the duties of his or her former position and has not been restored thereto.

SEC. 418. (a) None of the funds made available by this Act may be used to approve a new foreign air carrier permit under sections 41301 through 41305 of title 49, United States Code, or exemption application under section 40109 of that title of an air carrier already holding an air operators certificate issued by a country that is party to the U.S.-E.U.-Iceland-Norway Air Transport Agreement where such approval would contravene United States law or Article 17 bis of the U.S.-E.U.-Iceland-Norway Air Transport Agreement.

(b) Nothing in this section shall prohibit, restrict or otherwise preclude the Secretary of Transportation from granting a foreign air carrier permit or an exemption to such an air carrier where such authorization is consistent with the U.S.-E.U.-Iceland-Norway Air Transport Agreement and United States law.

SEC. 419. None of the funds made available by this Act to the Department of Transportation may be used in contravention of section 306108 of title 54, United States Code.

SEC. 420. In the table of projects entitled “Community Project Funding/Congressionally Directed Spending” included in the explanatory statement that accompanied the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2023 (division L of Public Law 117-328) the item relating to “B-360 Educational Campus” is deemed to be amended by striking “I Am Mentality, Inc.” and inserting “B-360 Baltimore, Inc.”.

SEC. 421. Each amount designated in this Act by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be available (or rescinded, if applicable) only if the President subsequently so designates all such amounts and transmits such designations to the Congress.

This division may be cited as the “Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2024”.

#### AUTHORITY FOR COMMITTEES TO MEET

Mr. SCHUMER. Madam President, I have five requests for committees to meet during today’s session of the Senate. They have the approval of the Majority and Minority Leaders.

Pursuant to rule XXVI, paragraph S(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today’s session of the Senate:

#### COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Thursday, September 7, 2023, at 10 a.m., to conduct a hearing.

#### COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Thursday, September 7, 2023, at 10 a.m., to conduct a hearing.

#### COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works is authorized to meet

during the session of the Senate on Thursday, September 7, 2023, at 10 a.m., to conduct a hearing.

#### COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Thursday, September 7, 2023, at 10 a.m., to conduct a hearing on nominations.

#### SUBCOMMITTEE ON WESTERN HEMISPHERE, TRANSNATIONAL CRIME, CIVILIAN SECURITY, DEMOCRACY, HUMAN RIGHTS, AND GLOBAL WOMEN’S ISSUES

The Subcommittee on Western Hemisphere, Transnational Crime, Civilian Security, Democracy, Human Rights, and Global Women’s Issues of the Committee on Foreign Relations is authorized to meet during the session of the Senate on Thursday, September 7, 2023, at 10:30 a.m., to conduct a hearing.

#### PRIVILEGES OF THE FLOOR

Mr. CRUZ. Madam President, I ask unanimous consent that Joel Coito, a Coast Guard fellow at the Senate Commerce, Science, and Transportation Committee, be granted floor privileges for the remainder of Congress.

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

The PRESIDING OFFICER. The senior Senator from Maryland.

#### EXPANDING ACCESS TO CAPITAL FOR RURAL JOB CREATORS ACT

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be discharged from further consideration of S. 294, and the Senate proceed to its immediate consideration.

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

The legislative clerk read as follows:

A bill (S. 294) to amend the Securities Exchange Act of 1934 to expand access to capital for rural-area small businesses, and for other purposes.

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

Mr. CARDIN. I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The bill (S. 294) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 294

*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 “Expanding Access to Capital for Rural Job Creators Act”.

#### SEC. 2. ACCESS TO CAPITAL FOR RURAL-AREA SMALL BUSINESSES.

Section 4(j) of the Securities Exchange Act of 1934 (15 U.S.C. 78d(j)) is amended—

(1) in paragraph (4)(C), by inserting “rural-area small businesses,” after “women-owned small businesses,”; and

(2) in paragraph (6)(B)(iii), by inserting “rural-area small businesses,” after “women-owned small businesses,”.

#### AMENDING THE FEDERAL ELECTION CAMPAIGN ACT OF 1971 TO EXTEND THE ADMINISTRATIVE FINE PROGRAM FOR CERTAIN REPORTING VIOLATIONS

Mr. CARDIN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 2747, introduced by Senators KLOBUCHAR and FISCHER.

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

The legislative clerk read as follows:

A bill (S. 2747) to amend the Federal Election Campaign Act of 1971 to extend the Administrative Fine Program for certain reporting violations.

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

Mr. CARDIN. Mr. President, I ask that the bill be considered read three times.

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. CARDIN. Mr. President, I know of no further debate on the bill.

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

The bill (S. 2747) was passed, as follows:

#### S. 2747

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. EXTENSION OF ADMINISTRATIVE FINE PROGRAM.

Section 309(a)(4)(C)(v) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30109(a)(4)(C)(v)) is amended by striking “December 31, 2023” and inserting “December 31, 2033”.

Mr. CARDIN. Mr. President, I further ask 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.

Mr. CARDIN. I yield the floor.

#### NOMINATION OF TANYA J. BRADSHER

Mr. GRASSLEY. Mr. President, I have just learned that the majority leader has filed for cloture on the nomination of Ms. Tanya Bradsher to be Deputy Secretary at the Department of Veterans Affairs. In addition to my remarks on the Senate floor on July 18, I would like to provide more context to my decision to oppose her nomination, especially in light of new information that has come to my attention.

Ms. Bradsher, if confirmed, would be second in command at a deeply trou-

bled agency. Both the VA and Ms. Bradsher in her current role as chief of staff have shown repeated indifference to congressional oversight. Records show that she played a key role in the VA's deficient response to my investigation of VA corruption that I launched in 2021. Another of my investigations has revealed that she also failed to secure sensitive veterans' health information, PII, and whistleblower information in the VA's correspondence system, VA Integrated Enterprise Workflow Solution, also called VIEWS, which is under her direct authority. My oversight has shown that VIEWS exposes veterans' private and sensitive information to thousands of VA employees, only a small number of whom are authorized to see it. The VA and Ms. Bradsher provided misleading information about that as well, which I will discuss here.

If confirmed, Ms. Bradsher would be in charge of the VA's effort to modernize veterans' electronic health records. This involves the healthcare records of millions of veterans, which obviously contain huge amounts of sensitive information. Ms. Bradsher's failures on privacy issues as chief of staff and her lack of transparency to the Veterans Affairs Committee show that we can't trust her to secure this sensitive information or to take the lead and address Agency failures, of which VA has many.

As part of Ms. Bradsher's committee proceedings, she responded to questions for the record about veterans' medical records stored in the VIEWS correspondence system at the VA. Ms. Bradsher provided misleading and often contradictory answers to Senators' questions. When asked about veterans' medical records exposed in VIEWS, she responded that the VIEWS system doesn't “handle” medical records. This was deeply misleading, as my staff had already verified that sensitive medical records are stored in VIEWS, and often exposed improperly for thousands of VA employees to see. Ranking Member MORAN, unconvinced, pressed her about her answer. She then admitted that these health records are indeed stored in VIEWS as part of VA correspondence. Either she didn't know this on the first round of questions or she intentionally misled the committee. Both of these are disqualifying for a nominee to this position.

And Ms. Bradsher's remaining answers were no better. When asked whether she knew anyone who may have been harassed, doxed, or who may have had any negative consequences from their information being exposed in VIEWS, she answered that she didn't. That is astonishing given the fact that one of the internal whistleblowers approached her office just last year complaining of exactly that. This whistleblower told Ms. Bradsher's deputy that she had been harassed and feared for her safety. Both I and members of the committee had reminded Ms. Bradsher of that correspondence

before she answered. Yet she apparently hadn't even bothered to review it before answering questions. She also repeatedly dodged responsibility for her failures and provided no plan at all to secure veterans' and whistleblower PII already exposed in VIEWS. We shouldn't reward a nominee and the VA for their inattention, neglect, and lack of candor.

When whistleblowers last year informed the Office of Special Counsel—OSC—about these VIEWS privacy flaws, OSC found a “substantial likelihood of wrongdoing” related to potential violation of Federal privacy laws. On August 2, 2022, OSC directed VA to investigate and report back within 60 days. The VA, however, continued to ask for extensions, which led to the report being released only recently, during the August recess.

That report should stop this nomination in its tracks. It reveals that even as Ms. Bradsher and the VA attempted to deny and downplay the serious matters I brought to the attention of the Senate Veterans Affairs Committee, the VA had already determined internally that these allegations were true. And not only are they true, but the VA's internal report shows they were even worse than I thought. The VA now admits that more than a hundred more employees have improper access to sensitive data in the VIEWS system than they originally represented. And the report revealed that the VA knew since at least July 2019 that these data privacy issues existed for “a massive number of cases [in VIEWS] that were improperly marked ‘not sensitive,’” a full 3 years before whistleblowers reached out to Ms. Bradsher's office last July. This was, therefore, a known issue when Ms. Bradsher took office. Not once did Ms. Bradsher in responding to members of the Senate Veterans Affairs Committee even bother to mention these significant facts, nor apparently did she lift a finger to take care of these issues in the 16 months she was in office before the whistleblowers spoke out to her deputy last year.

The VA's report further calls Ms. Bradsher's candor into question. It seems to directly contradict Ms. Bradsher's answers to questions for the record in her committee proceedings. For example, in response to Senator BLACKBURN, Ms. Bradsher claimed that, “the VIEWS system has controls in place to protect personal and sensitive information . . . system access is logged. Audits also are done to make sure information on the VIEWS system is accessed appropriately.” Yet the VA's report to OSC specifically noted regarding VIEWS that, “there is no program of auditing or detection in place . . . to log when a user views whistleblower identities and sensitive personal information without authority.” It looks like Ms. Bradsher has some explaining to do.

Democrats on the committee likewise failed in their duty to get to the truth of this matter. They didn't accept the whistleblowers' offer to speak