

Whereas leaders of Hamas have openly thanked the Islamic Republic of Iran for its consistent provision of funding, weapons, and support in the weeks before the attack;

Whereas the terrorist invaders unleashed slaughter and cruelty against the residents of southern Israel, reminiscent of the worst pogroms of history;

Whereas the terrorists operated death squads tasked with exterminating Jews, as well as hostage-taking squads tasked with abducting Jews for ransom, propaganda, and torture, if not simply sadistic pleasure;

Whereas the terrorists murdered at least 1,300 innocent victims, including children;

Whereas the terrorists murdered at least 30 United States citizens;

Whereas the terrorists continue to hold hostage dozens of Israeli and United States citizens;

Whereas the October 7, 2023, terrorist attacks represent the deadliest and most savage assault on the Jewish people since the Holocaust;

Whereas students at our most elite colleges and universities, including foreign nationals, have celebrated this pogrom and blamed the Jews for their own slaughter at the hands of a savage enemy;

Whereas Hamas called for a “Day of Rage” on October 13, 2023, and some individuals in the United States have responded to this call and incited others to endorse and espouse Hamas’ actions against Israeli and American civilians;

Whereas there have been violent, anti-Semitic, pro-Hamas riots in the streets of South Florida, Washington, D.C., New York City, Pittsburgh, Portland, Los Angeles, and other cities;

Whereas individuals, including foreign nationals, participating in these riots have made calls for intifada, decolonization, jihad, and other similar calls to eliminate the State of Israel; and

Whereas organizers and participants of these riots could include foreign nationals who are in the United States on visas: Now, therefore, be it

Resolved, That the Senate—

(1) calls on the President of the United States to enforce existing law to revoke visas and initiate deportation proceedings for any foreign national who has endorsed or espoused the terrorist activities of Hamas, Palestinian Islamic Jihad, Hezbollah, or other PTOs that have participated in terrorist attacks against Israel and United States citizens before, on, or after October 7, 2023;

(2) affirms that there is no equivalence between the terrorism of Hamas and its backers, on the one hand, and the military action taken by Israel in self-defense, on the other;

(3) rejects anti-Semitism in all its forms and guises, from full-throated Jew hatred to the subtle anti-Semitism that holds the State of Israel to a different standard than any other nation; and

(4) commits to honoring the memory of the deceased and never forgetting the unwarranted and unjustified assault on Israel and the Jewish people on October 7, 2023.

SENATE RESOLUTION 414—DESIGNATING OCTOBER 8, 2023, AS “NATIONAL HYDROGEN AND FUEL CELL DAY”

Mr. GRAHAM (for himself, Mr. BLUMENTHAL, Mr. COONS, and Mr. MURPHY) submitted the following resolution; which was considered and agreed to:

S. RES. 414

Whereas hydrogen, which has an atomic mass of 1.008, is the most abundant element in the universe;

Whereas the United States is a world leader in the development and deployment of fuel cell and hydrogen technologies;

Whereas hydrogen fuel cells played an instrumental role in the United States space program, helping the United States achieve the mission of landing a man on the Moon;

Whereas private industry, Federal and State governments, national laboratories, and institutions of higher education continue to improve fuel cell and hydrogen technologies to address the most pressing energy, environmental, and economic issues of the United States;

Whereas fuel cells utilizing hydrogen and hydrogen-rich fuels to generate electricity are clean, efficient, safe, and resilient technologies being used for—

(1) stationary and backup power generation; and

(2) zero-emission transportation for light-duty vehicles, industrial vehicles, delivery vans, buses, trucks, trains, military vehicles, marine applications, and aerial vehicles;

Whereas stationary fuel cells are being placed in service for continuous and backup power to provide businesses and other energy consumers with reliable power in the event of grid outages;

Whereas stationary fuel cells can help reduce water use, as compared to traditional power generation technologies;

Whereas fuel cell electric vehicles that utilize hydrogen can mimic the experience of internal combustion vehicles, including comparable range and refueling times;

Whereas hydrogen fuel cell industrial vehicles are deployed at logistical hubs and warehouses across the United States and exported to facilities in Europe and Asia;

Whereas hydrogen is a nontoxic gas that can be derived from a variety of domestically available traditional and renewable resources, including solar, wind, biogas, and the abundant supply of natural gas in the United States;

Whereas hydrogen and fuel cells can store energy to help enhance the grid and maximize opportunities to deploy renewable energy;

Whereas the United States produces and uses approximately 10,000,000 metric tons of hydrogen per year;

Whereas engineers and safety code and standard professionals have developed consensus-based protocols for safe delivery, handling, and use of hydrogen; and

Whereas the ingenuity of the people of the United States is essential to paving the way for the future use of hydrogen technologies: Now, therefore, be it

Resolved, That the Senate designates October 8, 2023, as “National Hydrogen and Fuel Cell Day”.

SENATE RESOLUTION 415—TO AUTHORIZE TESTIMONY AND REPRESENTATION IN UNITED STATES V. SAMSEL

Mr. SCHUMER (for himself and Mr. MCCONNELL) submitted the following resolution; which was considered and agreed to:

S. RES. 415

Whereas, in the case of *United States v. Samsel*, Cr. No. 21-537, pending in the United States District Court for the District of Columbia, the prosecution has requested the production of testimony from Daniel Schwager, a former employee of the Office of the Secretary of the Senate;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. §§ 288b(a) and 288c(a)(2), the Senate may direct its counsel to represent current and former officers and employees of the Senate with respect to any subpoena, order, or request for evidence relating to their official responsibilities;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial or administrative process, be taken from such control or possession but by permission of the Senate; and

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

Resolved, That Daniel Schwager, a former employee of the Office of the Secretary of the Senate, is authorized to provide relevant testimony in the case of *United States v. Samsel*, except concerning matters for which a privilege should be asserted.

SEC. 2. The Senate Legal Counsel is authorized to represent Mr. Schwager, and any current or former officer or employee of the Secretary’s office, in connection with the production of evidence authorized in section one of this resolution.

SENATE RESOLUTION 416—TO AUTHORIZE TESTIMONY AND REPRESENTATION IN UNITED STATES V. SULLIVAN

Mr. SCHUMER (for himself and Mr. MCCONNELL) submitted the following resolution; which was considered and agreed to:

S. RES. 416

Whereas, in the case of *United States v. Sullivan*, Cr. No. 21-078, pending in the United States District Court for the District of Columbia, the prosecution has requested the production of testimony from Daniel Schwager, a former employee of the Office of the Secretary of the Senate;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. §§ 288b(a) and 288c(a)(2), the Senate may direct its counsel to represent current and former officers and employees of the Senate with respect to any subpoena, order, or request for evidence relating to their official responsibilities;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial or administrative process, be taken from such control or possession but by permission of the Senate; and

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

Resolved, That Daniel Schwager, a former employee of the Office of the Secretary of the Senate, is authorized to provide relevant testimony in the case of *United States v. Sullivan*, except concerning matters for which a privilege should be asserted.

SEC. 2. The Senate Legal Counsel is authorized to represent Mr. Schwager, and any current or former officer or employee of the Secretary’s office, in connection with the production of evidence authorized in section one of this resolution.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1352. Mr. MERKLEY (for himself and Mr. CRAPO) submitted an amendment intended to be proposed to amendment SA 1092 proposed by Mrs. MURRAY (for herself and Ms. COLLINS) to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table.

SA 1353. Mr. SCHUMER (for Mr. DURBIN (for himself and Ms. MURKOWSKI)) submitted an amendment intended to be proposed to amendment SA 1092 proposed by Mrs. MURRAY (for herself and Ms. COLLINS) to the bill H.R. 4366, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1352. Mr. MERKLEY (for himself and Mr. CRAPO) submitted an amendment intended to be proposed to amendment SA 1092 proposed by Mrs. MURRAY (for herself and Ms. COLLINS) to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

On page 121, lines 23 and 24, strike “\$10,000,000 shall be allocated to irrigation modernization projects and activities located in Western states” and insert “\$20,000,000 shall be allocated to multi-benefit irrigation modernization projects and activities”.

SA 1353. Mr. SCHUMER (for Mr. DURBIN (for himself and Ms. MURKOWSKI)) submitted an amendment intended to be proposed to amendment SA 1092 proposed by Mrs. MURRAY (for herself and Ms. COLLINS) to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VII of division B, insert the following:

SEC. ____ (a) In addition to the annual amount of user fees authorized to be assessed and collected under section 919(c) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 387s(c)) and made available for purposes of

carrying out the Food and Drug Administration's tobacco regulation activities under chapter IX of such Act (21 U.S.C. 387 et seq.), notwithstanding section 919(c)(2)(B) of such Act (21 U.S.C. 387s(c)(2)(B)), of the amounts made available to the Food and Drug Administration under this Act, not less than \$8,000,000 shall be used by the Commissioner of Food and Drugs for such tobacco regulation activities, including to enhance regulatory reviews of, and enforcement actions with respect to, electronic nicotine delivery systems.

(b) Of the unobligated balances previously made available from prior Appropriations Acts under the heading “Farm Service Agency—Agricultural Credit Insurance Fund Program Account”, \$8,000,000 are hereby rescinded.

AUTHORITY FOR COMMITTEES TO MEET

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

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEES ON ARMED SERVICES AND VETERANS' AFFAIRS

The Committees on Armed Services and Veterans' Affairs are authorized to meet during the session of the Senate on Wednesday, October 18, 2023, at 10 a.m., to conduct a hearing.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to meet in executive session during the session of the Senate on Wednesday, October 18, 2023, at 10 a.m.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Wednesday, October 18, 2023, at 2 p.m., to conduct a subcommittee 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

Wednesday, October 18, 2023, at 10 a.m., to conduct a hearing.

COMMITTEE ON FINANCE

The Committee on Finance is authorized to meet during the session of the Senate on Wednesday, October 18, 2023, at 10 a.m., to conduct a hearing.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Wednesday, October 18, 2023, at 10:30 a.m., to conduct a hearing on nominations.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions is authorized to meet during the session of the Senate on Wednesday, October 18, 2023, at 10 a.m., to conduct a hearing on a nomination.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Wednesday, October 18, 2023, at 10 a.m., to conduct a hearing.

ORDERS FOR THURSDAY, OCTOBER 19, 2023

Mr. MERKLEY. Madam President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 10 a.m. on Thursday, October 19; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for later in the day, and that the Senate 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.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. MERKLEY. Madam President, if there is no further business to come before the Senate, I ask that it stand adjourned under the previous order.

There being no objection, the Senate, at 9:08 p.m., adjourned until Thursday, October 19, 2023, at 10 a.m.