

formed the American Bison Society in response to the near extinction of bison in the United States;

Whereas, on October 11, 1907, the American Bison Society sent 15 captive-bred bison from the New York Zoological Park, now known as the “Bronx Zoo”, to the first big game refuge in the United States, now known as the “Wichita Mountains Wildlife Refuge”;

Whereas, in 2005, the American Bison Society was reestablished, bringing together bison ranchers, Native American leaders and bison herd managers, Federal and State agencies, conservation organizations, artists and writers, young people, and natural and social scientists from the United States, Canada, and Mexico to create a vision for the North American bison in the 21st century;

Whereas there are bison herds in national wildlife refuges, national parks, and national forests, and on other Federal land;

Whereas there are bison in State-managed herds across 11 States;

Whereas private, public, and Tribal bison leaders are working together to continue bison restoration throughout North America;

Whereas there is a growing effort to celebrate and officially recognize the historical, cultural, and economic significance of the North American bison to the heritage of the United States; and

Whereas members of Indian Tribes, bison producers, conservationists, sportsmen, educators, and other public and private partners have celebrated the annual National Bison Day since 2012 and are committed to continuing this tradition annually on the first Saturday of November: Now, therefore, be it Resolved, That the Senate—

(1) designates November 4, 2023, the first Saturday of November, as “National Bison Day”; and

(2) encourages the people of the United States to observe the day with appropriate ceremonies and activities.

SENATE CONCURRENT RESOLUTION 22—EXPRESSING SUPPORT FOR THE GENEVA CONSENSUS DECLARATION ON PROMOTING WOMEN’S HEALTH AND STRENGTHENING THE FAMILY AND URGING THAT THE UNITED STATES REJOIN THIS HISTORIC DECLARATION

Mr. DAINES (for himself, Mrs. HYDE-SMITH, Mr. HAWLEY, Mr. LANKFORD, Mr. RUBIO, and Mr. SCOTT of Florida) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 22

Whereas the United States strongly supports women reaching the highest attainable outcomes for health, life, dignity, and well-being throughout their lives;

Whereas the historic coalition that issued the Geneva Consensus Declaration on Promoting Women’s Health and Strengthening the Family (in this preamble referred to as the “Geneva Consensus Declaration”) was formed by a diverse group of countries committed to charting a more positive path to advance the health of women, protect the family as foundational to any healthy society, affirm the value of life in all stages of development, and uphold the sovereign right of countries to make their own laws to advance those core values, without external pressure;

Whereas the Geneva Consensus Declaration was signed on October 22, 2020, by 32 coun-

tries from every region of the world, representing more than 1,600,000,000 people, which committed to working together on the core pillars enshrined in the Declaration, and 36 countries are now part of this coalition;

Whereas, although President Joseph R. Biden removed the United States as a signatory to the Geneva Consensus Declaration, at least temporarily, longstanding Federal laws that prohibit the United States from conducting or funding abortions, abortion lobbying, or coercive family planning in foreign countries remain in effect;

Whereas the Geneva Consensus Declaration reaffirms that “all are equal before the law” and “human rights of women are an inalienable, integral, and indivisible part of all human rights and fundamental freedoms”;

Whereas the Geneva Consensus Declaration reaffirms the inherent “dignity and worth of the human person” and that “every human being has the inherent right to life”;

Whereas the Geneva Consensus Declaration reaffirms that “there is no international right to abortion, nor any international obligation on the part of States to finance or facilitate abortion”;

Whereas the Geneva Consensus Declaration reaffirms that “the family is the natural and fundamental group unit of society and is entitled to protection by society and the State”; and

Whereas the Geneva Consensus Declaration coalition strengthens the collective voice of the signatory countries to prevent any country from being intimidated, isolated, or muted on the core values expressed in the Declaration: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) affirms the commitments to protect life and the family made in the Geneva Consensus Declaration on Promoting Women’s Health and Strengthening the Family (in this resolution referred to as the “Geneva Consensus Declaration”) and applauds the signatory countries for their dedication to advancing women’s health, protecting life at every stage while affirming that there is no international right to abortion, and upholding the importance of the family as foundational to society;

(2) declares that the principles affirming life and the family recognized by the Geneva Consensus Declaration remain universally valid;

(3) welcomes opportunities to strengthen support for the Geneva Consensus Declaration;

(4) will defend the sovereignty of every country to adopt national policies that promote women’s health, protect the right to life, and strengthen the family, as enshrined in the Geneva Consensus Declaration;

(5) will conduct oversight of the United States executive branch to ensure that the United States does not conduct or fund abortions, abortion lobbying, or coercive family planning in foreign countries, consistent with longstanding Federal law;

(6) urges the signatory countries to the Geneva Consensus Declaration to defend the universal principles affirming life and the family expressed in the Declaration;

(7) calls on President Joseph R. Biden to once again add the United States as a signatory to the Geneva Consensus Declaration; and

(8) calls on all subsequent Presidents to continue support of the Geneva Consensus Declaration.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1355. Mr. CARPER 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 1356. Mr. KAINE 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 1355. Mr. CARPER 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 division C, insert the following:

SEC. _____. None of the funds made available by this Act may be used to withhold approval of a surface transportation project of a State or metropolitan planning organization for failing to meet a target as described in the proposed rulemaking entitled “National Performance Management Measures; Assessing Performance of the National Highway System, Greenhouse Gas Emissions Measure” (87 Fed. Reg. 42401 (July 15, 2022)) (or a successor rulemaking).

SA 1356. Mr. KAINE 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) Not later than 90 days after the date of enactment of this Act, the Secretary of Health and Human Services (referred to in this section as the “Secretary”) shall publish a written enforcement plan describing how the Secretary will remove from the market any disposable flavored ENDS product—

(1) for which no premarket tobacco application was submitted to the Secretary pursuant to section 910(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 387j(b)) on or before September 9, 2020; or

(2) that is the subject of a denial of a premarket tobacco application pursuant to section 910(c) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 387j(c)), unless such denial is otherwise stayed by the Secretary or through court order.

(b) The plan under paragraph (1) shall include, at a minimum, all of the following:

(1) Detailed guidance to wholesalers, distributors, and retailers on how to identify any disposable flavored ENDS product described in paragraph (1) or (2) of subsection (a).

(2) Clearly defined and detailed enforcement strategies, including directed communications regarding a detailed escalating penalty structure, designed to deter manufacturers and wholesalers of disposable flavored ENDS products from manufacturing,

selling, offering to sell, distributing, or importing for sale or distribution within the United States any disposable flavored ENDS product described in paragraph (1) or (2) of subsection (a).

(3) Detailed plans on how the Secretary will prioritize enforcement actions directed against manufacturers and wholesalers that manufacture, package, sell, offer to sell, distribute, or import for sale or distribution within the United States any disposable flavored ENDS product described in paragraph (1) or (2) of subsection (a).

(4) A plan for how the Secretary will coordinate with the Attorney General, the Secretary of Homeland Security, and the Secretary of the Treasury to develop and implement a strategy to prevent or intercept the importation, smuggling, or trafficking of any disposable flavored ENDS product described in paragraph (1) or (2) of subsection (a).

(5) Detailed plans on how and when the Secretary will implement stronger enforcement procedures and other activities, and as advisable amend existing procedures and activities, to more quickly remove from the market any disposable flavored ENDS product described in paragraph (1) or (2) of subsection (a).

(c) The Secretary shall, not later than 90 days after the date of enactment of this Act, publish and maintain on the website of the Food and Drug Administration, the enforcement plan specified in subsection (a) and shall provide a copy of such enforcement plan to the Committee on Appropriations of the Senate, the Committee on Appropriations of the House of Representatives, and the Government Accountability Office.

(d) For purposes of this section, the term “flavored ENDS product”—

(1) means any non-combustible product that employs a heating element, power source, electronic circuit, or other electronic, chemical, or mechanical means, regardless of shape or size, to produce vapor from nicotine in a solution, where the solution contains a constituent, additive, or ingredient, an artificial or natural flavor (other than tobacco) or an herb or spice, that is a characterizing flavor;

(2) includes any electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device, and includes a consumable nicotine liquid or solution suitable for use in a flavored ENDS product, whether sold with the product or separately; and

(3) does not include any product regulated as a drug or device under chapter V of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 351 et seq.).

(e) Beginning 120 days after the date of enactment of this Act, the Secretary shall submit a report on a quarterly basis to the Committee on Appropriations of the Senate, the Committee on Appropriations of the House of Representatives, and the Government Accountability Office, and post such report on the website of the Food and Drug Administration, listing each enforcement action taken in relation to any disposable flavored ENDS product in the marketplace that is described in paragraph (1) or (2) of subsection (a). Such report shall be categorized by manufacturer, wholesaler, and retailer and shall include the date on which each enforcement action was initiated, the status of such action, and whether such disposable flavored ENDS products are continuing to be sold or distributed despite the enforcement action.

(f) Not later than 180 days after the date of enactment of this Act, the Secretary shall submit a report to the Committee on Appropriations of the Senate, the Committee on Appropriations of the House of Representatives, and the Government Accountability

Office providing specific recommendations on how to revise or enhance current statutory and regulatory enforcement authorities to ensure the expeditious removal from the market of any disposable flavored ENDS product described in paragraph (1) or (2) of subsection (a).

AUTHORITY FOR COMMITTEES TO MEET

Mr. WHITEHOUSE. Madam President, I have four 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:

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Tuesday, October 24, 2023, at 10 a.m., to conduct a subcommittee hearing.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Tuesday, October 24, 2023, at 10 a.m., to conduct a hearing.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Tuesday, October 24, 2023, at 2:30 p.m., to conduct a hearing.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Tuesday, October 24, 2023, at 2:30 p.m., to conduct a closed briefing.

PROJECT SAFE CHILDHOOD ACT

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of Calendar No. 68, S. 1170.

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

The senior assistant legislative clerk read as follows:

A bill (S. 1170) to reauthorize and update the Project Safe Childhood program, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Project Safe Childhood Act”.

SEC. 2. PROJECT SAFE CHILDHOOD MODERNIZATION.

Section 143 of the Adam Walsh Child Protection and Safety Act of 2006 (34 U.S.C. 20942) is amended to read as follows:

“SEC. 143. PROJECT SAFE CHILDHOOD.

“(a) DEFINITIONS.—In this section:

“(1) CHILD SEXUAL ABUSE MATERIAL.—The term ‘child sexual abuse material’ has the mean-

ing given the term ‘child pornography’ in section 2256 of title 18, United States Code.

“(2) CHILD SEXUAL EXPLOITATION OFFENSE.—The term ‘child sexual exploitation offense’ means—

“(A)(i) an offense involving a minor under section 1591 or chapter 117 of title 18, United States Code;

“(ii) an offense under subsection (a), (b), or (c) of section 2251 of title 18, United States Code;

“(iii) an offense under section 2251A or 2252A(g) of title 18, United States Code; or

“(iv) any attempt or conspiracy to commit an offense described in clause (i) or (ii); or

“(B) an offense involving a minor under a State or Tribal statute that is similar to a provision described in subparagraph (A).

“(3) CIRCLE OF TRUST OFFENDER.—The term ‘circle of trust offender’ means an offender who is related to, or in a position of trust, authority, or supervisory control with respect to, a child.

“(4) COMPUTER.—The term ‘computer’ has the meaning given the term in section 1030 of title 18, United States Code.

“(5) CONTACT SEXUAL OFFENSE.—The term ‘contact sexual offense’ means—

“(A) an offense involving a minor under chapter 109A of title 18, United States Code, or any attempt or conspiracy to commit such an offense; or

“(B) an offense involving a minor under a State or Tribal statute that is similar to a provision described in subparagraph (A).

“(6) DUAL OFFENDER.—The term ‘dual offender’ means—

“(A) a person who commits—

“(i) a technology-facilitated child sexual exploitation offense or an offense involving child sexual abuse material; and

“(ii) a contact sexual offense; and

“(B) without regard to whether the offenses described in clauses (i) and (ii) of subparagraph (A)—

“(i) are committed as part of the same course of conduct; or

“(ii) involve the same victim.

“(7) FACILITATOR.—The term ‘facilitator’ means an individual who facilitates the commission by another individual of—

“(A) a technology-facilitated child sexual exploitation offense or an offense involving child sexual abuse material; or

“(B) a contact sexual offense.

“(8) ICAC AFFILIATE PARTNER.—The term ‘ICAC affiliate partner’ means a law enforcement agency that has entered into a formal operating agreement with the ICAC Task Force Program.

“(9) ICAC TASK FORCE.—The term ‘ICAC task force’ means a task force that is part of the ICAC Task Force Program.

“(10) ICAC TASK FORCE PROGRAM.—The term ‘ICAC Task Force Program’ means the National Internet Crimes Against Children Task Force Program established under section 102 of the PROTECT Our Children Act of 2008 (34 U.S.C. 21112).

“(11) OFFENSE INVOLVING CHILD SEXUAL ABUSE MATERIAL.—The term ‘offense involving child sexual abuse material’ means—

“(A) an offense under section 2251(d), section 2252, or paragraphs (1) through (6) of section 2252A(a) of title 18, United States Code, or any attempt or conspiracy to commit such an offense; or

“(B) an offense under a State or Tribal statute that is similar to a provision described in subparagraph (A).

“(12) SERIOUS OFFENDER.—The term ‘serious offender’ means—

“(A) an offender who has committed a contact sexual offense or child sexual exploitation offense;

“(B) a dual offender, circle of trust offender, or facilitator; or

“(C) an offender with a prior conviction for a contact sexual offense, a child sexual exploitation offense, or an offense involving child sexual abuse material.