

STATEMENTS ON INTRODUCED  
BILLS AND JOINT RESOLUTIONS

By Mr. DURBIN (for himself and Ms. DUCKWORTH):

S. 3468. A bill to require rulemaking by the Administrator of the Federal Emergency Management Agency to address considerations in evaluating the need for public and individual disaster assistance, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Mr. DURBIN. Madam President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD as follows:

S. 3468

*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 “Fairness in Federal Disaster Declarations Act of 2023”.

## SEC. 2. REGULATORY ACTION REQUIRED.

(a) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Administrator of the Federal Emergency Management Agency (in this Act referred to as the “Administrator”) shall amend the rules of the Administrator under section 206.48 of title 44, Code of Federal Regulations, as in effect on the date of enactment of this Act, in accordance with the provisions of this Act.

(b) NEW CRITERIA REQUIRED.—The amended rules issued under subsection (a) shall provide for the following:

(1) PUBLIC ASSISTANCE PROGRAM.—Such rules shall provide that, with respect to the evaluation of the need for public assistance—

(A) specific weighted valuations shall be assigned to each criterion, including—

(i) estimated cost of the assistance, 10 percent;

(ii) localized impacts, 40 percent;

(iii) insurance coverage in force, 10 percent;

(iv) hazard mitigation, 10 percent;

(v) recent multiple disasters, 10 percent;

(vi) programs of other Federal assistance, 10 percent; and

(vii) economic circumstances described in subparagraph (B), 10 percent; and

(B) the Administrator shall consider the economic circumstances of—

(i) the local economy of the area affected by the disaster, including factors such as the local assessable tax base and local sales tax, the median income as it compares to that of the State, and the poverty rate as it compares to that of the State; and

(ii) the economy of the State, including factors such as the unemployment rate of the State, as compared to the national unemployment rate.

(2) INDIVIDUAL ASSISTANCE PROGRAM.—Such rules shall provide that, with respect to the evaluation of the severity, magnitude, and impact of the disaster and the evaluation of the need for assistance to individuals—

(A) specific weighted valuations shall be assigned to each criterion, including—

(i) concentration of damages, 20 percent;

(ii) trauma, 20 percent;

(iii) special populations, 20 percent;

(iv) voluntary agency assistance, 10 percent;

(v) insurance, 20 percent;

(vi) average amount of individual assistance by State, 5 percent; and

(vii) economic considerations described in subparagraph (B), 5 percent; and

(B) the Administrator shall consider the economic circumstances of the area affected by the disaster, including factors such as the local assessable tax base and local sales tax, the median income as it compares to that of the State, and the poverty rate as it compares to that of the State.

(c) EFFECTIVE DATE.—The amended rules issued under subsection (a) shall apply to any disaster for which a Governor requested a major disaster declaration under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) that was denied on or after January 1, 2012.

## SUBMITTED RESOLUTIONS

SENATE RESOLUTION 493—EX-  
PRESSING THE SENSE OF THE  
SENATE IN SUPPORT OF THE  
PEACEFUL, DEMOCRATIC, AND  
ECONOMIC ASPIRATIONS OF THE  
PEOPLE OF SRI LANKA

Mr. CARDIN (for himself and Mr. RISCH) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 493

Whereas, in recent years, Sri Lanka has undergone a political, economic, and humanitarian crisis causing millions of Sri Lankans to live in dire conditions, with the World Food Program estimating that 17 percent of the population is experiencing food insecurity and severe shortages of medicine and fuel;

Whereas the crisis in Sri Lanka stems from factors such as corruption, financial mismanagement, and failures in the rule of law, further exacerbated by the Government of Sri Lanka entering into expensive projects involving predatory lending by entities associated with the People's Republic of China;

Whereas, beginning in March 2022, tens of thousands of Sri Lankans participated in largely peaceful protests lasting more than 100 days, leading to the resignation of President Gotabaya Rajapaksa and the appointment of Ranil Wickremesinghe as the new President of Sri Lanka;

Whereas the Wickremesinghe government, citing economic constraints, indefinitely postponed local elections scheduled for March 9, 2023, in violation of the Constitution of Sri Lanka;

Whereas, on February 20, 2023, thousands of largely peaceful protestors demonstrated against the decision to postpone local elections, to which the Sri Lankan police responded by firing tear gas and water cannons;

Whereas the Government of Sri Lanka continues to repress dissent and protest, conduct surveillance and harass members of civil society, and use the Prevention of Terrorism Act to target political opposition members of ethnic and religious minority groups, activists, and journalists;

Whereas the Government of Sri Lanka continues to participate in and facilitate the illegal appropriation of land in the North and East, areas of historical habitation of Tamil speaking peoples and various ethnic and religious groups;

Whereas the Government of Sri Lanka refuses to conduct transparent and independent investigations into credible allegations of corruption, historic atrocities, and other gross violations of human rights against Sinhalese, Tamil, and Muslim communities, and the United Nations and others have recognized that longstanding impunity for corruption and other human rights viola-

tions and abuses is a root cause of the current crisis and that many actors responsible for the current crisis have been implicated in abuses dating back to the civil war and the JVP insurrection;

Whereas, for more than 30 years, Sri Lanka was enveloped in a civil war in which, according to United Nations reports, tens of thousands of Sri Lankans died and thousands more were raped, tortured, forcibly disappeared, or went missing;

Whereas United Nations reports maintain that members of the Liberation Tigers of Tamil Eelam (LTTE) and members of the Government and security services of Sri Lanka were implicated in horrific atrocities and human rights violations and abuses against Sri Lankan civilians during the civil war;

Whereas, on multiple occasions, the Government of Sri Lanka has publicly committed to pursuing meaningful justice and accountability for conflict-related crimes and grievances, including in President Mahinda Rajapaksa's May 2009 joint statement with United Nations Secretary-General Ban Ki-Moon and in the government of then-Prime Minister Ranil Wickremesinghe's cosponsoring of United Nations Human Rights Council resolution 30/1, committing to a holistic transitional justice strategy, including a commission for truth, justice, reconciliation, and non-recurrence and a judicial mechanism to prosecute violations and abuses of human rights and violations of international humanitarian law;

Whereas, in January 2016, under then-Prime Minister Wickremesinghe, the Government of Sri Lanka established a Consultation Task Force on Reconciliation Mechanisms led by respected members of Sri Lankan civil society, which spoke to more than 7,000 Sri Lankans and issued a 700-page report with findings and recommendations about what the Sri Lankan people wanted from the Sri Lankan government in relation to justice and reconciliation, including recommendations supporting international involvement in certain transitional justice mechanisms;

Whereas successive Sri Lankan governments have failed to live up to those commitments and address the desire of Sri Lankan victims and survivors for meaningful justice and accountability for the atrocities, and in March 2020, President Gotabaya Rajapaksa's administration withdrew the Government of Sri Lanka's commitment to implement Human Rights Council resolution 30/1;

Whereas the majority of the LTTE leadership were killed or disappeared during the civil war and therefore cannot stand trial for their crimes, and despite evidence implicating Sri Lankan government officials and security forces in atrocity crimes committed against Sri Lankan civilians during the war, no such officials or forces have faced justice for their crimes;

Whereas, in 2020, 2021, and 2022, the Department of State imposed visa restrictions against Sri Lankan officials for their involvement in gross violations of human rights, including torture and inhumane punishment during the civil war, but successive Sri Lankan governments have promoted and empowered those same individuals;

Whereas, in 2021 and 2022, the United States cosponsored United Nations Human Rights Council resolutions 46/1 and 51/1, mandating that the United Nations collect, analyze, and preserve information and evidence of gross violations of human rights and serious violations of international humanitarian law in Sri Lanka for future accountability processes; and

Whereas, in September 2023, the United Nations High Commissioner for Human Rights,

Volker Turk, issued a report that noted, "The 2022 economic crisis is a demonstration of the indivisibility of human rights and how impunity, corruption and the weakening of democratic and rule of law institutions ultimately impacted the economic situation. In order to achieve a path to recovery and sustainable development Sri Lanka will need to address the longer-term serious governance and accountability deficits, as well as the continuing legacy of the armed conflict." Now, therefore, be it

*Resolved*, That the Senate—

(1) supports the peaceful, democratic, and economic aspirations of the people of Sri Lanka;

(2) urges the Government of Sri Lanka to hold free and fair local and provincial elections without further delay;

(3) urges the Government and security forces of Sri Lanka to respect the rights of all Sri Lankans, including the right to protest peacefully, associate freely, and commemorate their dead;

(4) urges the Government of Sri Lanka to institute meaningful security sector reform, including by reducing the deployment of security forces across the North and East to appropriate peacetime levels, and ensure those credibly implicated in human rights abuses are removed from positions of authority;

(5) calls on the Government of Sri Lanka to promote an inclusive, pluralistic Sri Lanka through structural reforms and confidence-building measures to address corruption, nepotism, outsized expenditures on the military, minority disenfranchisement, impunity, and other issues that hamper the long-term potential growth of Sri Lanka;

(6) welcomes Sri Lanka's newly passed anticorruption legislation and calls on the Government of Sri Lanka to ensure that investigations and prosecutions of corrupt officials can move forward independently and impartially;

(7) calls on the Government of Sri Lanka to strengthen the rule of law, including by respecting and reinforcing the independence of the judiciary and independent institutions;

(8) welcomes the October 2022 passage of the 21st Amendment package by the Parliament of Sri Lanka as an initial step toward reducing centralized power and encourages further measures to alleviate a lack of meaningful checks and balances;

(9) welcomes the initial agreement by the International Monetary Fund to loan Sri Lanka \$3,000,000,000 to help address the ongoing economic crisis and urges the Government of Sri Lanka to address the recommendations of the International Monetary Fund's September 30, 2023 staff report, which notes that the "absence of visible progress on addressing corruption and holding officials to account for past behaviour raises popular concerns that officials will continue to enjoy impunity for their misconduct";

(10) urges the Government of Sri Lanka to immediately repeal or amend the Prevention of Terrorism Act and ensure that the Act or any counterterrorism laws passed to replace it are aligned with international norms and reflect inclusive consultation with Sri Lankan civil society;

(11) calls for an immediate moratorium on the appropriation of land facilitated by the Government of Sri Lanka in the North and East and restitution of appropriated lands in a way that guarantees effective access and productive use;

(12) urges the Government of Sri Lanka to fully implement the Constitution of Sri Lanka, including the 13th Amendment's commitments to devolve specified powers over land, the police, education, health, agri-

culture, housing, and finances to the provinces;

(13) urges the Government of Sri Lanka to reach a consensus with opposition parties on behalf of all Sri Lankans, including Tamils, Indian-origin Tamils, Muslims, and members of other religious and ethnic minority groups, to address longstanding issues, including those relating to human rights violations and abuses, disenfranchisement, justice, and accountability, and work toward a sustainable political solution that promotes reconciliation;

(14) calls on the Government of Sri Lanka to accept and use Sri Lanka's own Consultation Task Force report as the basis for taking action in support of justice, accountability, and reconciliation, and further calls on the government to design and implement all justice measures, including a potential truth commission, with input from, the participation of, and support from victims and survivors; and

(15) urges the Government of Sri Lanka to engage positively and cooperatively with the United Nations' Human Rights Council, agencies, and special procedure mandate holders and facilitate the implementation of their recommendations on good governance, rule of law, corruption, justice, accountability, and human rights.

#### SENATE RESOLUTION 494—EXPRESSING THE NEED FOR THE FEDERAL GOVERNMENT TO ESTABLISH A NATIONAL BIODIVERSITY STRATEGY FOR PROTECTING BIODIVERSITY FOR CURRENT AND FUTURE GENERATIONS

Mr. MERKLEY (for himself, Mr. BLUMENTHAL, Mr. WHITEHOUSE, Mr. CARDIN, Mr. WELCH, and Mr. BOOKER) submitted the following resolution; which was referred to the Committee on Environment and Public Works:

S. RES. 494

Whereas the planet is facing an unprecedented biodiversity crisis, largely driven by human activity;

Whereas recent scientific studies have confirmed human-driven activities are significantly damaging the ecosystems of the planet by—

(1) altering 75 percent of the area of terrestrial environments and 66 percent of marine environments;

(2) directly exploiting wildlife and plant species;

(3) accelerating climate change, directly harming nature and exacerbating other threats;

(4) polluting air, land, and water; and

(5) introducing invasive species;

Whereas recent scientific studies have shown that human-driven threats have harmed biodiversity by—

(1) threatening approximately 1,000,000 species with imminent or near extinction, including—

(A) more than 40 percent of amphibians;

(B) 33 percent of corals, sharks, shark relatives, and marine mammals;

(C) more than 60 percent of cycads and more than 30 percent of conifer trees; and

(D) approximately 10 percent of the more than 5,000,000 insect species on the planet; and

(2) causing population sizes of wild species to decline by—

(A) an average of 68 percent for species of mammals, birds, fish, amphibians, and reptiles;

(B) approximately 3,000,000 birds in North America since 1970;

(C) approximately 50 percent for species of live corals; and

(D) an average of more than 20 percent overall;

Whereas human activity is accelerating the decline of important economic and cultural services, including—

(1) land productivity, with a reduction in the productivity of approximately ¼ of the land surface;

(2) land and freshwater resources, with more than ⅓ of the land surface and 75 percent of freshwater resources devoted to crop or livestock production;

(3) global crops, with approximately \$500,000,000,000 of global crops at risk due to pollinator loss;

(4) marine fisheries, with ⅓ of marine fisheries overfished, 60 percent fished at capacity, and only 7 percent fished below capacity; and

(5) environmental health, with 25 percent of greenhouse gas emissions caused by land clearing, crops, and fertilization;

Whereas the decline of biodiversity disproportionately impacts indigenous and other communities that rely on nature for essential services, including Native Americans and Alaska Natives, who offer unique perspectives and traditional ecological knowledge critical to preserving biodiversity;

Whereas the decline of biodiversity and ecosystem services observed worldwide is occurring in the United States;

Whereas the United States possesses an abundance and great diversity of species of fish, wildlife, and plants that are of significant value to the United States for intrinsic, aesthetic, ecological, educational, cultural, recreational, economic, and scientific reasons;

Whereas the decline of biodiversity presents a direct threat to the security, health, and well-being of the people of the United States by causing economic harm through the loss of valuable ecosystem services, including zoonotic disease buffering, pollination, water filtration, soil replenishment, the provision of game species, medicinal products, and recreational opportunities;

Whereas communities of color, low-income communities, Tribal communities, and other populations that have been systematically and deliberately targeted for citing environmentally degrading activities and excluded from conservation efforts face disproportionate impacts from biodiversity loss;

Whereas Federal agencies are tasked with protecting and conserving biodiversity in the United States and worldwide through a variety of legal and policy channels;

Whereas there is no coordinating policy to maximize the effectiveness of the conservation efforts of the Federal Government and collaboration by the Federal Government with States, local governments, Indian Tribes, private landowners, and other non-governmental stakeholders;

Whereas the United States should play a leading role on the international stage in addressing the biodiversity crisis, yet the United States—

(1) is not a party to—

(A) the Convention on Biological Diversity, done at Rio de Janeiro June 5, 1992;

(B) the Convention on the Conservation of Migratory Species of Wild Animals (commonly known as "the Convention on Migratory Species"), done at Bonn November 6, 1979; or

(C) other relevant international agreements;

(2) does not issue a periodic national biodiversity outlook, contrary to most other countries; and

(3) does not have a national biodiversity strategy as part of the Intergovernmental