

I think we all want to see the FCC's spectrum auction authority extended, and I am offering a solution that extends that auction authority and protects the national security of our country. I would hope that the industry and those who support the continuation of 5G would agree that an extension until the end of the year would be very appropriate.

With that, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be discharged from further consideration of S. 650 and the Senate proceed to its immediate consideration; further, that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Vermont.

Mr. WELCH. Madam President, reserving the right to object, the Senator is working very diligently to achieve a goal that all of us share. The basic question right now is going to be whether to have a 60-day extension that has been agreed to by the House or to have an extension, as the Senator is proposing, until the end of the fiscal year.

The bottom line—and it is the judgment of many—is that sticking with the 60-day extension is beneficial to achieving the goal of having the parties who are now negotiating come to a longer term resolution even beyond the end of the fiscal year. We have got to extend, ultimately, the spectrum authority beyond 60 days or beyond the end of the fiscal year. We really have to extend it for a much greater period of time in order to achieve the goals that are shared between all of us.

Senator ROUNDS' bill, of course, as I mentioned, would extend things until September 30. We think that is going to take pressure off negotiators, and we have some confidence that if we keep that 60-day status, we are going to get to that long-term goal.

Further, the House has made it clear that they are not going to take up any bill that moves the date to September 30. So that is just the reality we have to deal with. Others may agree with Senator ROUNDS to push it to September 30, but the best information we have is that the other body has no intention of taking up that bill. If that were the case and we were to pass a bill extending to September 30 but the House doesn't take it up, then the spectrum authority expires, and that is bad for everybody. It sends the wrong signal, obviously, as well, to our allies and our competitors.

We just can't afford to risk a lapse of authority. Given the reality of the time constraints we are under, even if the Senate were to pass Senator ROUNDS' bill, we would have a situation where it would be rejected by the House—that is our best judgment—and there would be a lapse in authority, which would be very threatening to the well-being of all of us concerned.

So, on that basis, I offer this objection to the unanimous consent request of my colleague from South Dakota.

The PRESIDING OFFICER. Objection is heard.

Mr. ROUNDS. Madam President, I would like to thank my colleague from Vermont for his comments.

I think we all want the same thing. We want the auction authority to be able to move forward. I do believe that it is very appropriate because there are negotiations which are ongoing, but none of them can be completed until the report, the study, is completed on September 30.

If we did a short-term extension, we would simply be back here again. But once again, the Department of Defense finds itself in a position to where once again they are being asked to modify the appeals process in this existing statute, which we already have on the books, and we find ourselves under, as the Senator from Vermont indicates, a very serious time constraint to try to get this done within 60 days.

My question is, If 60 days is good enough, wouldn't it be better to go until the end of the year when we would actually have the data available to make a good decision about whether or not there is the availability of additional spectrum for a sharing or a sale that could be used, perhaps, for 5G, but at the same time, we could be assured would not impact our national defense priorities?

With that, I thank my colleague from Vermont.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

UNANIMOUS CONSENT REQUEST— H.R. 1108

Mr. WELCH. Madam President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 1108, to extend the Federal Communications Commission's authority to auction spectrum.

Congress has never let the FCC's spectrum auction authority lapse before, and we can't do it now. As I noted in my earlier comments, spectrum is critical to our modern communications system—something that, actually, Senator ROUNDS has spoken so eloquently to—so we have to keep it going. We need an FCC and an NTIA that respect all Federal incumbent uses of spectrum, especially those uses that protect our national security. Again, I acknowledge the comments of Senator ROUNDS.

As we consider the reauthorization of the FCC's auction authority, it is important to recognize we are entering a really new era in the United States' spectrum strategy. This new strategy has to be comprehensive to ensure our remaining spectrum is put to its highest and best use, and we must ensure we don't impact or interfere with our national security as we try to get further benefits from the civilian sector for spectrum utilization.

H.R. 1108's 2-month extension would allow for the further development of this comprehensive approach. As I mentioned earlier, folks are really working on that, and we don't want to take the pressure off. We want to keep the pedal to the metal and see if they can reach an agreement.

Importantly, H.R. 1108's 2-month extension does not slow down or otherwise limit the Department of Defense's study of the lower 3 gigahertz band under the bipartisan infrastructure law. I just want to reiterate that. The DOD can continue with its study. It will remain on track to complete its study by September 30.

This extension also doesn't change the requirement that any reallocation decisions for the band must wait until after the DOD finishes its study. So there is consensus here that we have to make certain the DOD's national security equities are front and center.

What this extension would do is to ensure that the critical work of our Agencies and wireless ecosystem does continue undisrupted.

Maintaining the FCC's auction authority will allow Congress to work quickly toward developing forward-thinking spectrum policy that both protects our national security and encourages the development of new technologies.

It is very important, especially now that time is of the essence, for us to develop our own spectrum strategy and stay ahead of our competitors. So every month that we stall on a comprehensive spectrum bill is more time for our rivals to get ahead of us.

For all of those reasons, I am asking my colleagues to support H.R. 1108's 2-month extension of the FCC's auction authority as my colleagues and I work toward a comprehensive spectrum legislation package to ensure that the United States continues to lead in spectrum innovation and policy.

Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 1108, which was received from the House and is at the desk; further, that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from South Dakota.

Mr. ROUNDS. Madam President, reserving the right to object, I appreciate my friend and colleague from Vermont and his offer.

My concern is that the spectrum study, which the Senator has acknowledged, will not be done until September 30. There is no reasonable explanation as to why we would not be able to extend until September 30 the auction capabilities that are available at the present time.

However, there is an appeals process which is very important to the Department of Defense, and every time we have a discussion about the process

moving forward, the risk of an appeals process modifying or being changed is incorporated or at least is being proposed.

For those of us who are very concerned about the ability to protect the very clear and important portions of the spectrum that the Department of Defense utilizes, it is important that there be no modifications to any appeals process between now and September 30. Until such time as we have that available to us, it is simply not appropriate, I believe, to allow for an existing modification or new legislation to be proposed that does not take that into account.

Once again, I don't want to see this lapse either—I would love to see it moved on—but I cannot think of a reason we would not be able to extend the existing auction capabilities of the FCC, the NTIA, and so forth and still protect the spectrum capabilities of the Department of Defense until September 30, at which time the complete report will be available. Until such time, I believe that it would be inappropriate to, once again, have the risk of modifications to any appeals process and any additional legislation that might be included in a further extension.

Therefore, with all due respect, I must object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Vermont.

Mr. WELCH. Madam President, just to remark, here is the dilemma we have. Much of what the Senator from South Dakota is saying I agree with, but we have two things that are relevant on a very practical level.

One is the pressure that continues to be brought to bear on the negotiators with the 60-day extension to get a final agreement, which would solve the problems that all of us face and are of concern to the Senator from South Dakota.

The second is a political one. It has been conveyed to us very clearly that the House will not take up anything beyond the 60-day extension. We may think they are wrong, but they have the authority to reject an extension beyond the 60 days. That would result in a lapse in spectrum authority, which would be devastating to all of us and all of the goals we are striving to achieve.

So that is the practical question we face.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. HASSAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. WELCH). Without objection, it is so ordered.

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to 10 U.S.C. 4355(a), appoints the following Senator to the Board of Visitors of the U.S. Military Academy: The Honorable JONI ERNST of Iowa, At Large.

MEASURE READ THE FIRST TIME—S. 701

Ms. HASSAN. Mr. President, I understand there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The legislative clerk read as follows:

A bill (S. 701) to protect a person's ability to determine whether to continue or end a pregnancy, and to protect a health care provider's ability to provide abortion services.

Ms. HASSAN. I now ask for a second reading, and in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will be read for the second time on the next legislative day.

PREVENTING CHILD SEX ABUSE ACT OF 2023

Ms. HASSAN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 724, which is at the desk.

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

The legislative clerk read as follows:

A bill (S. 724) to protect children against sexual abuse and exploitation, and for other purposes.

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

Ms. HASSAN. I further ask that the bill be considered read a third time 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. 724) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 724

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 "Preventing Child Sex Abuse Act of 2023".

SEC. 2. SENSE OF CONGRESS.

The sense of Congress is the following:

(1) The safety of children should be a top priority for public officials and communities in the United States.

(2) According to the Rape, Abuse & Incest National Network, an individual in the United States is sexually assaulted every 68 seconds. And every 9 minutes, that victim is a child. Meanwhile, only 25 out of every 1,000 perpetrators will end up in prison.

(3) The effects of child sexual abuse can be long-lasting and affect the victim's mental health.

(4) Victims are more likely than non-victims to experience the following mental health challenges:

(A) Victims are about 4 times more likely to develop symptoms of drug abuse.

(B) Victims are about 4 times more likely to experience post-traumatic stress disorder as adults.

(C) Victims are about 3 times more likely to experience a major depressive episode as adults.

(5) The criminal justice system should and has acted as an important line of defense to protect children and hold perpetrators accountable.

(6) However, the horrific crimes perpetrated by Larry Nassar demonstrate firsthand the loopholes that still exist in the criminal justice system. While Larry Nassar was found guilty of several State-level offenses, he was not charged federally for his illicit sexual contact with minors, despite crossing State and international borders to commit this conduct.

(7) The Department of Justice has also identified a growing trend of Americans who use charitable or missionary work in a foreign country as a cover for sexual abuse of children.

(8) It is the intent of Congress to prohibit Americans from engaging in sexual abuse or exploitation of minors under the guise of work, including volunteer work, with an organization that affects interstate or foreign commerce, such as an international charity.

(9) Federal law does not require that an abuser's intention to engage in sexual abuse be a primary, significant, dominant, or motivating purpose of the travel.

(10) Child sexual abuse does not require physical contact between the abuser and the child. This is especially true as perpetrators turn increasingly to internet platforms, online chat rooms, and webcams to commit child sexual abuse.

(11) However, a decision of the United States Court of Appeals for the Seventh Circuit found the use of a webcam to engage in sexually provocative activity with a minor did not qualify as "sexual activity".

(12) Congress can address this issue by amending the definition of the term "sexual activity" to clarify that it does not require interpersonal, physical contact.

(13) It is the duty of Congress to provide clearer guidance to ensure that those who commit crimes against children are prosecuted to the fullest extent of the law.

SEC. 3. INTERSTATE CHILD SEXUAL ABUSE.

Section 2423 of title 18, United States Code, is amended—

(1) in subsection (b), by striking "with a motivating purpose of engaging in any illicit sexual conduct with another person" and inserting "with intent to engage in any illicit sexual conduct with another person";

(2) by redesignating subsections (d), (e), (f), and (g) as subsections (e), (f), (g), and (i), respectively;

(3) in subsection (e), as so redesignated, by striking "with a motivating purpose of engaging in any illicit sexual conduct" and inserting "with intent to engage in any illicit sexual conduct"; and

(4) by inserting after subsection (g), as so redesignated, the following:

"(h) RULE OF CONSTRUCTION.—As used in this section, the term 'intent' shall be construed as any intention to engage in illicit sexual conduct at the time of the travel."

SEC. 4. ABUSE UNDER THE GUISE OF CHARITY.

Section 2423 of title 18, United States Code, as amended by section 3 of this Act, is amended—

(1) by inserting after subsection (c) the following: