

so on. Our legislation would help provide technical assistance in rural communities so that they have the capacity to get what you are entitled to will be available.

Another bill is the WEATHER Act, which helps farmers—and I am talking about small farmers with vegetable crops. It would help them by having a practical crop insurance program. The crop insurance programs we have are really important and I support. They tend to be for big commodity operations. If you are a vegetable farmer in Vermont and your potato crop, your onion crop, your tomato crop got wiped out, it is incredibly complicated to try to make a claim, and it doesn't work. And you can only try to get damages for the "wholesale" value, even when many of these farmers who are the lifeblood of many of our communities sell their product at retail at local farmers' markets. We have to have a program that works for them, because whether it is in Georgia or it is in Vermont or any State, those local farmers—farm-to-table, farm-to-school—they really, really matter. We have to give them a shot at getting back on their feet when a weather event takes them down.

The BUFFER Act will help Vermont farmers take full advantage of flooding and erosion prevention programs.

I will continue in Vermont partnering with our Governor, Governor Scott, who has been on this case from day one, and my Vermont colleagues in the congressional delegation, Senator SANDERS—the senior Senator from Vermont—and Congresswoman BALINT, as well as the Biden administration and our local leaders to help Vermont recover from the flood more resiliently, prepare for the future, and recognizing the reality that these huge weather events are here to stay.

I want to thank the people of Vermont who have, as they have always done, found a way to come together and just deal with the reality of what they face.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. WELCH. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nomination: Danny Lam Hoan Nguyen, to be Associate Justice of the Superior Court of the District of Columbia; that the Senate vote on the nomination, Calendar No. 508, without intervening action or debate; that the motion to reconsider be considered made and laid upon the table; that the President be immediately notified of the Senate's action; and the Senate resume legislative session.

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

The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Danny Lam

Hoan Nguyen, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

Thereupon, the Senate proceeded to consider the nomination.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Nguyen nomination?

The nomination was confirmed.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

RESOLUTIONS SUBMITTED TODAY

Mr. WELCH. Mr. President, I ask unanimous consent that the Senate proceed to the en bloc consideration of the following Senate resolutions: S. Res. 760, S. Res. 761, S. Res. 762.

There being no objection, the Senate proceeded to consider the resolutions en bloc.

Mr. WELCH. Mr. President, I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, and that the motions to reconsider be considered made and laid upon the table en bloc.

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

The resolutions were agreed to.

The preambles were agreed to.

(The resolutions, with their preambles, are printed in today's RECORD under "Submitted Resolutions.")

THE CALENDAR

Mr. WELCH. Mr. President, I ask unanimous consent that the Senate proceed to the en bloc consideration of the following bills: Calendar No. 127, S. 612, Lake Tahoe Restoration Act, and Calendar No. 292, S. 912, Mining Schools Act.

There being no objection, the Senate proceeded to consider the bills en bloc.

Mr. WELCH. I ask unanimous consent that the bills be considered read a third time en bloc.

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

The bills were ordered to be engrossed for a third reading and were read the third time en bloc.

Mr. WELCH. I know of no further debate on the bills en bloc.

The PRESIDING OFFICER. If there is no further debate on the bills, the bills having been read the third time, the question is, Shall the bills pass en bloc?

The bills were passed en bloc, as follows:

LAKE TAHOE RESTORATION REAUTHORIZATION ACT

The bill (S. 612) to reauthorize the Lake Tahoe Restoration Act, and for other purposes, was passed as follows:

S. 612

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 "Lake Tahoe Restoration Reauthorization Act".

SEC. 2. REAUTHORIZATION OF THE LAKE TAHOE RESTORATION ACT.

(a) COOPERATIVE AUTHORITIES.—Section 4(f) of the Lake Tahoe Restoration Act (Public Law 106-506) is amended by striking "4 fiscal years following the date of enactment of the Water Resources Development Act of 2016" and inserting "period beginning on the date of enactment of this subsection and ending on the date described in section 10(a)".

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 10(a) of the Lake Tahoe Restoration Act (Public Law 106-506) is amended by striking "for a period" and all that follows through the period at the end and inserting ", to remain available until September 30, 2034."

MINING SCHOOLS ACT OF 2023

The bill (S. 912) to require the Secretary of Energy to provide technology grants to strengthen domestic mining education, and for other purposes, was passed as follows:

S. 912

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 "Technology Grants to Strengthen Domestic Mining Education Act of 2023" or the "Mining Schools Act of 2023".

SEC. 2. TECHNOLOGY GRANTS TO STRENGTHEN DOMESTIC MINING EDUCATION.

(a) DEFINITIONS.—In this section:

(1) BOARD.—The term "Board" means the Mining Professional Development Advisory Board established by subsection (d)(1).

(2) MINING INDUSTRY.—The term "mining industry" means the mining industry of the United States, consisting of the search for, and extraction, beneficiation, refining, smelting, and processing of, naturally occurring metal and nonmetal minerals from the earth.

(3) MINING PROFESSION.—The term "mining profession" means the body of jobs directly relevant to—

(A) the exploration, planning, execution, and remediation of metal and nonmetal mining sites; and

(B) the extraction, including the separation, refining, alloying, smelting, concentration, and processing, of mineral ores.

(4) MINING SCHOOL.—The term "mining school" means—

(A) a mining, metallurgical, geological, or mineral engineering program accredited by the Accreditation Board for Engineering and Technology, Inc., that is located at an institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)); or

(B) a geology or engineering program or department that is located at a 4-year public institution of higher education (as so defined) located in a State the gross domestic product of which in 2021 was not less than \$2,000,000,000 in the combined categories of "Mining (except oil and gas)" and "Support activities for mining", according to the Bureau of Economic Analysis.

(5) SECRETARY.—The term "Secretary" means the Secretary of Energy.

(b) DOMESTIC MINING EDUCATION STRENGTHENING PROGRAM.—The Secretary, in consultation with the Secretary of the Interior (acting through the Director of the United States Geological Survey), shall—

(1) establish a grant program to strengthen domestic mining education; and

(2) under the program established in paragraph (1), award competitive grants to mining schools for the purpose of recruiting and educating the next generation of mining engineers and other qualified professionals to meet the future energy and mineral needs of the United States.

(c) GRANTS.—

(1) IN GENERAL.—In carrying out the grant program established under subsection (b)(1), the Secretary shall award not more than 10 grants each year to mining schools.

(2) SELECTION REQUIREMENTS.—

(A) IN GENERAL.—To the maximum extent practicable, the Secretary shall select recipients for grants under paragraph (1) to ensure geographic diversity among grant recipients to ensure that region-specific specialties are developed for region-specific geology.

(B) TIMELINE.—The Secretary shall award the grants under paragraph (1) by not later than the later of—

(i) the date that is 180 days after the start of the applicable fiscal year; and

(ii) the date that is 180 days after the date on which the Act making full-year appropriations for the Department of Energy for the applicable fiscal year is enacted.

(3) RECOMMENDATIONS OF THE BOARD.—

(A) IN GENERAL.—In selecting recipients for grants under paragraph (1) and determining the amount of each grant, the Secretary, to the maximum extent practicable, shall take into consideration the recommendations of the Board under subparagraphs (A) and (B) of subsection (d)(3).

(B) SELECTION STATEMENT.—In selecting recipients for grants under paragraph (1), the Secretary shall—

(i) in response to a recommendation from the Board, submit to the Board a statement that describes—

(I) whether the Secretary accepts or rejects, in whole or in part, the recommendation of the Board; and

(II) the justification and rationale for any rejection, in whole or in part, of the recommendation of the Board; and

(ii) not later than 15 days after awarding a grant for which the Board submitted a recommendation, publish the statement submitted under clause (i) on the Department of Energy website.

(4) USE OF FUNDS.—A mining school receiving a grant under paragraph (1) shall use the grant funds—

(A) to recruit students to the mining school; and

(B) to enhance and support programs related to, as applicable—

(i) mining, mineral extraction efficiency, and related processing technology;

(ii) emphasizing critical mineral and rare earth element exploration, extraction, and refining;

(iii) reclamation technology and practices for active mining operations;

(iv) the development of reprocessing systems and technologies that facilitate reclamation that fosters the recovery of resources at abandoned mine sites;

(v) mineral extraction methods that reduce environmental and human impacts;

(vi) technologies to extract, refine, separate, smelt, or produce minerals, including rare earth elements;

(vii) reducing dependence on foreign energy and mineral supplies through increased domestic critical mineral production;

(viii) enhancing the competitiveness of United States energy and mineral technology exports;

(ix) the extraction or processing of coinciding mineralization, including rare earth elements, within coal, coal processing by-product, overburden, or coal residue;

(x) enhancing technologies and practices relating to mitigation of acid mine drainage,

reforestation, and revegetation in the reclamation of land and water resources adversely affected by mining;

(xi) enhancing exploration and characterization of new or novel deposits, including rare earth elements and critical minerals within phosphate rocks, uranium-bearing deposits, and other nontraditional sources;

(xii) meeting challenges of extreme mining conditions, such as deeper deposits or offshore or cold region mining; and

(xiii) mineral economics, including analysis of supply chains, future mineral needs, and unconventional mining resources.

(d) MINING PROFESSIONAL DEVELOPMENT ADVISORY BOARD.—

(1) IN GENERAL.—There is established an advisory board, to be known as the “Mining Professional Development Advisory Board”.

(2) COMPOSITION.—The Board shall be composed of 6 members, to be appointed by the Secretary not later than 180 days after the date of enactment of this Act, of whom—

(A) 3 shall be individuals who are actively working in the mining profession and for the mining industry; and

(B) 3 shall have experience in academia implementing and operating professional skills training and education programs in the mining sector.

(3) DUTIES.—The Board shall—

(A) evaluate grant applications received under subsection (c) and make recommendations to the Secretary for selection of grant recipients under that subsection;

(B) propose the amount of the grant for each applicant recommended to be selected under subparagraph (A); and

(C) perform oversight to ensure that grant funds awarded under subsection (c) are used for the purposes described in paragraph (4) of that subsection.

(4) TERM.—A member of the Board shall serve for a term of 4 years.

(5) VACANCIES.—A vacancy on the Board—

(A) shall not affect the powers of the Board; and

(B) shall be filled in the same manner as the original appointment was made by not later than 180 days after the date on which the vacancy occurs.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$10,000,000 for each of fiscal years 2024 through 2031.

SEC. 3. REPEAL OF THE MINING AND MINERAL RESOURCES RESEARCH INSTITUTE ACT OF 1984.

The Mining and Mineral Resources Research Institute Act of 1984 (30 U.S.C. 1221 et seq.) is repealed.

Mr. WELCH. I further ask that the motions to reconsider be considered made and laid upon the table, with no intervening action or debate, all en bloc.

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

STOPPING HARMFUL IMAGE EXPLOITATION AND LIMITING DISTRIBUTION ACT OF 2023

Mr. WELCH. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 78, S. 412.

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

The senior assistant legislative clerk read as follows:

A bill (S. 412) to provide that it is unlawful to knowingly distribute private intimate visual depictions with reckless disregard for the

individual's lack of consent to the distribution, 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 “Stopping Harmful Image Exploitation and Limiting Distribution Act of 2023” or the “SHIELD Act of 2023”.

SEC. 2. CERTAIN ACTIVITIES RELATING TO INTIMATE VISUAL DEPICTIONS.

(a) IN GENERAL.—Chapter 88 of title 18, United States Code, is amended by adding at the end the following:

“§ 1802. Certain activities relating to intimate visual depictions

“(a) DEFINITIONS.—In this section:

“(1) COMMUNICATIONS SERVICE.—The term ‘communications service’ means—

“(A) a service provided by a person that is a common carrier, as that term is defined in section 3 of the Communications Act of 1934 (47 U.S.C. 153), insofar as the person is acting as a common carrier;

“(B) an electronic communication service, as that term is defined in section 2510;

“(C) an information service, as that term is defined in section 3 of the Communications Act of 1934 (47 U.S.C. 153); and

“(D) an interactive computer service, as that term is defined in section 230(f) of the Communications Act of 1934 (47 U.S.C. 230(f)).

“(2) INFORMATION CONTENT PROVIDER.—The term ‘information content provider’ has the meaning given that term in section 230(f) of the Communications Act of 1934 (47 U.S.C. 230(f)).

“(3) INTIMATE VISUAL DEPICTION.—The term ‘intimate visual depiction’ means any visual depiction (as that term is defined in section 2256(5)) of an individual who is recognizable by an individual other than the depicted individual from the intimate image itself or information or text displayed in connection with the intimate image who has attained 18 years of age at the time the intimate visual depiction is created and—

“(A) who is depicted engaging in sexually explicit conduct; or

“(B) whose genitals, anus, pubic area, or female nipple are unclothed and visible.

“(4) VISUAL DEPICTION OF A NUDE MINOR.—The term ‘visual depiction of a nude minor’ means any visual depiction (as that term is defined in section 2256(5)) of an individual who is recognizable by an individual other than the depicted individual from the intimate image itself or information or text displayed in connection with the intimate image who was under 18 years of age at the time the visual depiction was created in which the actual anus, genitals, or pubic area, or post-pubescent female nipple, of the minor are unclothed, visible, and displayed in a manner that does not constitute sexually explicit conduct.

“(5) SEXUALLY EXPLICIT CONDUCT.—The term ‘sexually explicit conduct’ has the meaning given that term in section 2256(2)(A).

“(b) OFFENSES.—

“(1) IN GENERAL.—Except as provided in subsection (d), it shall be unlawful to knowingly mail, or to knowingly distribute using any means or facility of interstate or foreign commerce or affecting interstate or foreign commerce, an intimate visual depiction of an individual—

“(A) with knowledge of the lack of consent of the individual to the distribution;

“(B) where what is depicted was not voluntarily exposed by the individual in a public or commercial setting; and

“(C) where what is depicted is not a matter of public concern.