

dies, use of machinery, and overhead expenses.

SEC. 5. STATUS OF MEDALS.

(a) NATIONAL MEDAL.—Medals struck pursuant to this Act are national medals for purposes of chapter 51 of title 31, United States Code.

(b) NUMISMATIC ITEMS.—For purposes of sections 5134 and 5136 of title 31, United States Code, all medals struck under this Act shall be considered to be numismatic items.

SEC. 6. AUTHORITY TO USE FUND AMOUNTS; PROCEEDS OF SALE.

(a) AUTHORITY TO USE FUND AMOUNTS.—There is authorized to be charged against the United States Mint Public Enterprise Fund such amounts as may be necessary to pay for the costs of the medals struck under this Act.

(b) PROCEEDS OF SALE.—Amounts received from the sale of duplicate bronze medals authorized under section 4 shall be deposited into the United States Mint Public Enterprise Fund.

The bill (S. 91), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

HELLO GIRLS CONGRESSIONAL GOLD MEDAL ACT OF 2023

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be discharged from further consideration of S. 815 and the Senate proceed to its immediate consideration.

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

The senior assistant legislative clerk read as follows:

A bill (S. 815) to award a Congressional Gold Medal to the female telephone operators of the Army Signal Corps, known as the "Hello Girls".

There being no objection, the committee was discharged, and the Senate proceeded to consider the bill.

Mr. SCHUMER. I ask unanimous consent that the Tester substitute amendment, which is at the desk, be considered and agreed to; that the bill, as amended, 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. Without objection, it is so ordered.

The amendment (No. 3296) in the nature of a substitute was agreed to.

(The amendment is printed in today's RECORD under "Text of Amendments.")

The bill (S. 815), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

NATIONAL CONCUSSION AWARENESS DAY

RESOLUTIONS SUBMITTED TODAY

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be discharged of S. Res. 812 and the Senate proceed to the en bloc consideration of the following

Senate resolutions: S. Res. 812, S. Res. 847, S. Res. 848, S. Res. 849, S. Res. 850, S. Res. 851, S. Res. 852, S. Res. 853, S. Res. 854, and S. Res. 855.

There being no objection, the committee was discharged of the relevant resolution, and the Senate proceeded to consider the resolutions en bloc.

Mr. President, in two criminal cases pending in Federal district court in the District of Columbia and arising out of the events of January 6, 2021, the prosecution has requested testimony from a Senate witness.

In these cases, brought against Martin Cudo and Edward Kelley, respectively, trials are expected to commence in late October, and the prosecution has requested testimony from Daniel Schwager, formerly counsel to the Secretary of the Senate, concerning his knowledge and observations of the process, including use of the electoral ballots and other documents during the proceeding, and constitutional and legal bases for Congress's counting of of the Electoral College votes. Senate Secretary Berry would like to cooperate with these requests by providing relevant testimony in these trials from Mr. Schwager.

In keeping with the rules and practices of the Senate, these resolutions would authorize the production of relevant testimony from Mr. Schwager, with representation by the Senate legal counsel.

Mr. SCHUMER. 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, all en bloc.

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

The resolution (S. Res. 812) was agreed to.

(The resolution, with its preamble, is printed in the RECORD of September 12, 2024, under "Submitted Resolutions.")

The resolutions (S. Res. 847, S. Res. 848, S. Res. 849, S. Res. 850, S. Res. 851, S. Res. 852, S. Res. 853, S. Res. 854, and S. Res. 855) were agreed to.

The preambles were agreed to.

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

CONFIRMATION OF CONGRESSIONAL OBSERVER ACCESS ACT OF 2023

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate Committee on Rules and Administration be discharged from further consideration of H.R. 6513 and the Senate proceed to its immediate consideration.

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

The senior assistant legislative clerk read as follows:

A bill (H.R. 6513) to amend the Help America Vote Act of 2002 to confirm the requirement that States allow access to designated congressional election observers to observe the election administration procedures in congressional elections.

There being no objection, the committee was discharged, and the Senate proceeded to consider the bill.

Mr. SCHUMER. I further ask that the McConnell substitute amendment at the desk be considered and agreed to; that the bill, as amended, 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 amendment (No. 3297) in the nature of a substitute was agreed to as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Confirmation Of Congressional Observer Access Act of 2024" or the "COCOA Act of 2024".

SEC. 2. ACCESS FOR CONGRESSIONAL ELECTION OBSERVERS.

(a) ACCESS REQUIRED.—Title III of the Help America Vote Act of 2002 (52 U.S.C. 21081 et seq.) is amended—

(1) by redesignating section 304 and 305 as sections 305 and 306; and

(2) by inserting after section 303 the following new section:

"SEC. 304. ACCESS FOR CONGRESSIONAL ELECTION OBSERVERS.

"(a) FINDING OF CONSTITUTIONAL AUTHORITY.—Congress finds that, regardless of legislative action, it has the authority to send congressional election observers to observe polling locations, any location where processing, scanning, tabulating, canvassing, recounting, auditing, or certifying voting results is occurring, or any other part of the process associated with elections for Federal office under the authorities granted under article 1, section 5, clause 1 and article 1, section 4, clause 1 of the Constitution of the United States. Procedures described herein do not establish any new authorities or procedures with respect to Congress' constitutional authority to observe congressional elections but are provided simply to permit a convenient statutory reference for existing congressional authority and activity.

"(b) REQUIREMENT TO PROVIDE ACCESS FOR OBSERVERS.—

"(1) REQUIREMENT.—A State shall provide each individual who is acting as a designated congressional election observer for an election for Federal office with full access to clearly observe all elements of election administration procedures, including, but not limited to, access to any area in which a ballot is cast, processed, scanned, tabulated, canvassed, recounted, audited, or certified, including during pre- and post-election procedures.

"(2) RESTRICTIONS ON ACTIVITIES OF OBSERVERS.—No designated congressional election observer may handle a ballot or election equipment (whether voting or nonvoting or whether tabulating or nontabulating), advocate for any position or candidate, take any action to reduce ballot secrecy or voter privacy, take any action to interfere with the ability of a voter to cast a ballot or an election administrator to carry the administrator's duties, or otherwise interfere with the election administration process.

"(3) RULE OF CONSTRUCTION.—Nothing in this section shall prohibit a designated congressional election observer from asking questions of an election administrator, election official, or election worker, or any other State or local official.

“(c) CONDUCT OF OBSERVERS.—

“(l) REMOVAL.—

“(A) AUTHORIZATION REMOVAL BY ELECTION OFFICIAL.—If a State or local election official has a reasonable basis to believe that a designated congressional election observer has engaged in or imminently will engage in intimidation or deceptive practices prohibited by Federal law, or in the disruption of voting, processing, scanning, tabulating, canvassing, or recounting of ballots, or the certification of results, a State or local election official may remove that observer from the area involved.

“(B) NOTICE TO COMMITTEE.—If a designated congressional election observer is removed from an area under subparagraph (A), the election official shall, within 24 hours of the observer's removal—

“(i) inform the chair and ranking minority member of the Committee on House Administration of the House of Representatives or the Committee on Rules and Administration of the Senate, as applicable; and

“(ii) provide written notice detailing the reason or reasons the designated congressional election observer was removed.

“(2) RULE OF CONSTRUCTION.—For purposes of this subsection, the mere presence of a designated congressional election observer during an observation of election administration procedures, without any additional indicia supporting a reasonable basis for removal, is not a sufficient reason for removal under paragraph (1)(A).

“(3) RIGHT TO REPLACE OBSERVER.—If a designated congressional election observer is properly removed under paragraph (1)(A), the chair or ranking minority member of the Committee on House Administration of the House of Representatives or the Committee on Rules and Administration of the Senate, as appropriate, may send another designated congressional election observer as a replacement for the remaining duration of the observation of election administration procedures.

“(d) DESIGNATED CONGRESSIONAL ELECTION OBSERVER DESCRIBED.—In this section, a ‘designated congressional election observer’ is a House or Senate employee who is designated in writing by the chair or ranking minority member of the Committee on House Administration of the House of Representatives or the Committee on Rules and Administration of the Senate, or a successor committee, to gather information with respect to an election, including in the event that the election is contested in the House of Representatives or the Senate and for other purposes permitted by article 1, section 5, clause 1 and article 1, section 4, clause 1 of the Constitution of the United States.

“(e) STATE DEFINED.—In this section, the term ‘State’ means each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.”

(b) CONFORMING AMENDMENT RELATING TO ENFORCEMENT.—Section 401 of such Act (52 U.S.C. 21111) is amended by striking “and 303” and inserting “303, and 304”.

(c) CLERICAL AMENDMENT.—The table of contents of such Act is amended—

(1) by redesignating the items relating to sections 304 and 305 as relating to sections 305 and 306; and

(2) by inserting after the item relating to section 303 the following:

“Sec. 304. Confirming access for congressional election observers.”

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The bill (H.R. 6513), as amended, was passed.

ORDERS FOR WEDNESDAY, SEPTEMBER 25, 2024

Mr. SCHUMER. Finally, Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 10 a.m. on Wednesday, September 25; that following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and morning business be closed; that following the conclusion of morning business, the Senate proceed to executive session to resume consideration of the Conway nomination; further, that notwithstanding rule XXII, at 11:40 a.m., Senator PAUL be recognized for up to 20 minutes and that upon the use or yielding back of time, the Senate resume legislative session and Senator PAUL be recognized to make a motion to proceed to S. Con. Res. 41; further, if the motion to proceed is not made or agreed to, the Senate resume executive session and vote on the motion to invoke cloture on the Conway nomination; that if cloture is invoked on the nomination, all time be considered expired at 3:45 p.m.; finally, that if any nominations are confirmed during Wednesday's session, the motions to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

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

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. SCHUMER. Mr. 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 7:56 p.m., adjourned until Wednesday, September 25, 2024, at 10 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate September 24, 2024:

DEPARTMENT OF STATE

Michael Sfraga, of Alaska, to be Ambassador at Large for Arctic Affairs.

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

LT. GEN. RONALD P. CLARK

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. CHRISTOPHER A. NASH

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. MATTHEW A. LEARD

IN THE ARMY

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be major general

BRIG. GEN. DEAN A. PRESTON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. JETH B. REY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. JOSHUA M. RUDD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIG. GEN. MICHAEL J. SIMMERING

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS THE CHIEF OF THE NATIONAL GUARD BUREAU AND APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 10502:

To be general

LT. GEN. STEVEN S. NORDHAUS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

LT. GEN. RANDALL REED

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. GAVIN A. LAWRENCE

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be admiral

VICE ADM. ALVIN HOLSEY

IN THE SPACE FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES SPACE FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIG. GEN. DEVIN R. PEPPER

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. JENNIFER M. SHORT

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIG. GEN. JOHN M. CUSHING

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. JONATHAN C. TAYLOR

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

LT. GEN. XAVIER T. BRUNSON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601: