

States agriculture, and for other purposes.

S.J. RES. 7

At the request of Mr. CRUZ, the names of the Senator from Indiana (Mr. BANKS) and the Senator from Iowa (Ms. ERNST) were added as cosponsors of S.J. Res. 7, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Federal Communications Commission relating to "Addressing the Homework Gap Through the E-Rate Program".

S. RES. 86

At the request of Mr. RISCH, the names of the Senator from Florida (Mr. SCOTT), the Senator from Illinois (Ms. DUCKWORTH) and the Senator from New Jersey (Mr. KIM) were added as cosponsors of S. Res. 86, a resolution expressing the sense of the Senate regarding United Nations General Assembly Resolution 2758 (XXVI) and the harmful conflation of China's "One China Principle" and the United States' "One China Policy".

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DURBIN (for himself, Mr. KING, Ms. SMITH, and Mr. WYDEN):

S. 740. A bill to expand the use of open textbooks in order to achieve savings for students and improve textbook price information; to the Committee on Health, Education, Labor, and Pensions.

Mr. DURBIN. Mr. 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. 740

*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 "Affordable College Textbook Act".

#### SEC. 2. FINDINGS.

Congress finds the following:

(1) The high cost of college textbooks continues to be a barrier for many students in achieving higher education.

(2) According to the College Board, during the 2024–2025 academic year, the average student budget for college books and supplies at 4-year public institutions of higher education was \$1,290.

(3) The Government Accountability Office found that new textbook prices increased 82 percent between 2002 and 2012 and that although Federal efforts to increase price transparency have provided students and families with more and better information, more must be done to address rising costs.

(4) The growth of the internet has enabled the creation and sharing of digital content, including open educational resources that can be freely used by students, teachers, and members of the public.

(5) According to the Student PIRGs, expanded use of open educational resources has the potential to save students more than a billion dollars annually.

(6) Federal investment in expanding the use of open educational resources has lowered college textbook costs and reduced financial barriers to higher education, while making efficient use of taxpayer funds.

(7) Educational materials, including open educational resources, must be accessible to the widest possible range of individuals, including those with disabilities.

#### SEC. 3. OPEN TEXTBOOK GRANT PROGRAM.

(a) DEFINITIONS.—In this section:

(1) INSTITUTION OF HIGHER EDUCATION.—The term "institution of higher education" has the meaning given the term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

(2) OPEN EDUCATIONAL RESOURCE.—The term "open educational resource" has the meaning given the term in section 133 of the Higher Education Act of 1965 (20 U.S.C. 1015b).

(3) OPEN TEXTBOOK.—The term "open textbook" means an open educational resource or set of open educational resources that either is a textbook or can be used in place of a textbook for a postsecondary course at an institution of higher education.

(4) RELEVANT FACULTY.—The term "relevant faculty" means both tenure track and contingent faculty members who may be involved in the creation or use of open textbooks created as part of an application under subsection (d).

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

(6) SUPPLEMENTAL MATERIAL.—The term "supplemental material" has the meaning given the term in section 133 of the Higher Education Act of 1965 (20 U.S.C. 1015b).

(b) GRANTS AUTHORIZED.—From the amounts appropriated under subsection (k), the Secretary shall make grants, on a competitive basis, to eligible entities to support projects that expand the use of open textbooks in order to achieve savings for students while maintaining or improving instruction and student learning outcomes.

(c) ELIGIBLE ENTITY.—In this section, the term "eligible entity" means an institution of higher education, a consortium of institutions of higher education, or a consortium of States on behalf of institutions of higher education.

(d) APPLICATIONS.—

(1) IN GENERAL.—Each eligible entity desiring a grant under this section, after consultation and consensus with relevant faculty, shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may reasonably require.

(2) CONTENTS.—Each application submitted under paragraph (1) shall include a description of the project to be completed with grant funds and—

(A) a plan for promoting and tracking the use of open textbooks in postsecondary courses offered by the eligible entity and across participating members of the consortium, where applicable, including an estimate of the projected savings that will be achieved for students;

(B) a plan for identifying gaps in the open textbook marketplace in courses that are part of degree-granting programs, which may include a plan for evaluating, before creating new open textbooks, whether existing open textbooks could be used or adapted for the same purpose, and in the case that a gap exists, creating new open textbooks;

(C) a plan for quality review and review of accuracy of any open textbooks to be created or adapted through the grant;

(D) a plan for assessing the impact of open textbooks on instruction, student learning outcomes, course outcomes, and educational costs at the eligible entity and across par-

ticipating members of the consortium, where applicable;

(E) a plan for disseminating information about the results of the project to institutions of higher education outside of the eligible entity, including promoting the adoption of any open textbooks created or adapted through the grant;

(F) a statement on consultation and consensus with relevant faculty, including those engaged in the creation of open textbooks, in the development of the application;

(G) a plan for professional development to build the capacity of faculty, instructors, and other staff to adapt and use open textbooks;

(H) a plan for updating the open textbooks beyond the funded period; and

(I) a plan to make open textbooks that are accessible to students with disabilities.

(e) SPECIAL CONSIDERATION.—In awarding grants under this section, the Secretary shall give special consideration to applications that demonstrate the greatest potential to—

(1) achieve the highest level of savings for students through sustainable expanded use of open textbooks in postsecondary courses offered by the eligible entity;

(2) expand the use of open textbooks at institutions of higher education outside of the eligible entity; and

(3) produce—

(A) the highest quality open textbooks;

(B) open textbooks that can be most easily utilized and adapted by relevant faculty members at institutions of higher education;

(C) open textbooks that correspond to the highest enrollment courses at institutions of higher education; and

(D) open textbooks created or adapted in partnership with entities within institutions of higher education, including campus bookstores, that will assist in marketing and distribution of the open textbook.

(f) USE OF FUNDS.—An eligible entity that receives a grant under this section shall use the grant funds to carry out any of the following activities to expand the use of open textbooks:

(1) Professional development for any relevant faculty and staff members at institutions of higher education, including the search for and review of open textbooks.

(2) Creation or adaptation of open textbooks.

(3) Development or improvement of supplemental materials and informational resources that are necessary to support the use of open textbooks, including accessible instructional materials for students with disabilities.

(4) Research evaluating the efficacy of the use of open textbooks for achieving savings for students and the impact on instruction and student learning outcomes.

(g) LICENSE.—For each open textbook, supplemental material, or informational resource created or adapted wholly or in part under this section that constitutes a new copyrightable work, the eligible entity receiving the grant shall release such textbook, material, or resource to the public under a non-exclusive, royalty-free, perpetual, and irrevocable license to exercise any of the rights under copyright conditioned only on the requirement that attribution be given as directed by the copyright owner.

(h) ACCESS AND DISTRIBUTION.—The full and complete digital content of each open textbook, supplemental material, or informational resource created or adapted wholly or in part under this section shall be made available free of charge to the public—

(1) on an easily accessible and interoperable website, which shall be identified to the Secretary by the eligible entity;

(2) in a machine readable, digital format that anyone can directly download, edit with attribution, and redistribute;

(3) in a format that conforms to accessibility standards under section 508 of the Rehabilitation Act of 1973 (29 U.S.C. 794d), where feasible; and

(4) with identifying information, including the title, edition, author, publisher, copyright date, and International Standard Book Number, if available.

(i) REPORT.—Upon an eligible entity's completion of a project supported under this section, the eligible entity shall prepare and submit a report to the Secretary regarding—

(1) the effectiveness of the project in expanding the use of open textbooks and in achieving savings for students;

(2) the impact of the project on expanding the use of open textbooks at institutions of higher education outside of the eligible entity;

(3) open textbooks, supplemental materials, and informational resources created or adapted wholly or in part under the grant, including instructions on where the public can access each educational resource under the terms of subsection (h);

(4) the impact of the project on instruction and student learning outcomes; and

(5) all project costs, including the value of any volunteer labor and institutional capital used for the project.

(j) ANNUAL REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of this Act, and annually thereafter, the Secretary shall prepare and submit a report to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and Workforce of the House of Representatives detailing—

(1) the open textbooks, supplemental materials, and informational resources created or adapted wholly or in part under this section;

(2) the adoption of such open textbooks, including outside of the eligible entity;

(3) the savings generated for students, States, and the Federal Government through projects supported under this section; and

(4) the impact of projects supported under this section on instruction and student learning outcomes.

(k) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as are necessary.

#### SEC. 4. TEXTBOOK PRICE INFORMATION.

Section 133 of the Higher Education Act of 1965 (20 U.S.C. 1015b) is amended—

(1) in subsection (b)—

(A) by striking paragraph (6) and inserting the following:

“(6) OPEN EDUCATIONAL RESOURCE.—The term ‘open educational resource’ means a teaching, learning, or research resource that is offered freely to users in at least one form and that resides in the public domain or has been released under an open copyright license that allows for its free use, reuse, modification, and sharing with attribution.”; and

(B) in paragraph (9), by striking “textbook that” and all that follows through the period at the end and inserting “textbook that may include printed materials, website access, and electronically distributed materials.”;

(2) in subsection (c)(1)—

(A) in the matter preceding subparagraph (A), by striking “or other person or adopting entity in charge of selecting course materials” and inserting “or other person or entity in charge of selecting or aiding in the discovery and procurement of course materials”;

(B) in subparagraph (A), by inserting “such institution of higher education or to” after “would make the college textbook or supplemental material available to”; and

(C) by adding at the end the following:

“(E) Whether the college textbook or supplemental material is an open educational resource.

“(F) For a college textbook or supplemental material delivered primarily in a digital format, a summary of terms and conditions under which a publisher collects and uses student data through the student's use of such college textbook or supplemental material, including whether a student can opt out of such terms and conditions.”;

(3) in subsection (d)—

(A) in the subsection heading, by striking “ISBN”; and

(B) by striking paragraph (1) and inserting the following:

“(1) verify and disclose, on (or linked from) the institution's Internet course schedule, for each course listed in such course schedule, and in a manner of the institution's choosing (except that if the institution determines that the disclosure of the information described in this subsection is not practicable or available for a college textbook or supplemental material, then the institution shall indicate the status of such information in lieu of the information required under this subsection)—

“(A) the International Standard Book Number of required and recommended college textbooks and supplemental materials, except that if the International Standard Book Number is not available for such college textbook or supplemental material, then the institution shall include in the Internet course schedule the author, title, publisher, and copyright date for such college textbook or supplemental material;

“(B) the retail price of required and recommended college textbooks and supplemental materials;

“(C) any applicable fee information of required and recommended college textbooks and supplemental materials;

“(D) whether each required and recommended college textbook and supplemental material is an open educational resource; and

“(E) for a college textbook or supplemental material delivered primarily in a digital format, a link to the summary required to be provided by the publisher under subsection (c)(1)(F); and”;

(4) by striking subsection (e) and inserting the following:

“(e) AVAILABILITY OF INFORMATION FOR COLLEGE BOOKSTORES.—

“(1) IN GENERAL.—An institution of higher education receiving Federal financial assistance shall assist a college bookstore that is operated by, or in a contractual relationship or otherwise affiliated with, the institution, in obtaining required and recommended course materials information and such course schedule and enrollment information as is reasonably required to implement this section so that such bookstore may—

“(A) verify availability of such materials;

“(B) source lower cost options, including presenting lower cost alternatives to faculty for faculty to consider, when practicable; and

“(C) maximize the availability of format options for students.

“(2) DUE DATES.—In carrying out paragraph (1), an institution of higher education may establish due dates for faculty or departments to notify the campus bookstore of required and recommended course materials.”; and

(5) in subsection (f)—

(A) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5); and

(B) by inserting after paragraph (2) the following:

“(3) available open educational resources.”;

#### SEC. 5. SENSE OF CONGRESS.

It is the sense of Congress that institutions of higher education should encourage the consideration of open textbooks by faculty within the generally accepted principles of academic freedom that establishes the right and responsibility of faculty members, individually and collectively, to select course materials that are pedagogically most appropriate for their classes.

#### SEC. 6. GAO REPORT.

Not later than 3 years after the date of enactment of this Act, the Comptroller General of the United States shall prepare and submit a report to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and Workforce of the House of Representatives on the cost of textbooks to students at institutions of higher education. The report shall particularly examine—

(1) the implementation of section 133 of the Higher Education Act of 1965 (20 U.S.C. 1015b), as amended by section 4, including—

(A) the availability of college textbook and open educational resource information on course schedules;

(B) the compliance of publishers with applicable requirements under such section; and

(C) the costs and benefits to institutions of higher education, relevant faculty, and students;

(2) the change in the cost of textbooks;

(3) the factors, including open textbooks, that have contributed to the change of the cost of textbooks;

(4) the extent to which open textbooks are used at institutions of higher education; and

(5) how institutions are tracking the impact of open textbooks on instruction and student learning outcomes.

By Mrs. FISCHER (for herself and Mr. LANKFORD):

S. 750. A bill to prohibit the Secretary of Health and Human Services from implementing, enforcing, or otherwise giving effect to a final rule regarding minimum staffing for nursing facilities, and to establish an advisory panel on the nursing home workforce; to the Committee on Finance.

Mrs. FISCHER. Mr. President, across America, 1.3 million people live in nursing homes. Many of us have parents, grandparents, or other loved ones who rely on these homes for care and community in their golden years. We understand just how vital nursing homes are—whether it is in urban, suburban, or rural areas—to help seniors in our country thrive.

But, unfortunately, a Federal rule that is still in place from the Biden era is putting many of America's nursing homes in jeopardy, especially those in our rural communities. Last year, under President Biden, the Centers for Medicare and Medicaid Services finalized a rule that placed strict, unrealistic regulations on nursing homes. The rule requires a registered nurse to be present 24/7 in these homes and requires 3½ daily hours of dedicated nursing care for each resident. If this rule is not stopped, the regulations will be imposed on every nursing home in America over the next few years.

It does sound nice to be able to have a nurse on hand in nursing homes every moment of the day or night, but that is not the reality. The reality is that

these homes are already facing historic staffing shortages. Across the country, nursing homes lost more than 200,000 workers from February 2020 to December 2022. These shortages have already caused many nursing homes to close down.

Since 2015, 44 nursing homes and 35 assisted living facilities have shut their doors in my State—in Nebraska—alone. These closures deprived Nebraskans of over 3,000 beds. They hurt seniors who wanted to stay in their home community to be close to their family, to be close to their friends.

This CMS rule will worsen this crisis. According to the Agency itself, 75 percent of America's nursing homes will have to increase staffing to comply with this regulation. Under the Biden administration's rule, nursing homes now have to scramble so that they can find staff in the midst of these really overwhelming shortages. If they fail, they have to shut their doors; they have to deprive seniors of care and housing.

That is why, today, I reintroduced legislation to stop this Biden-era rule in its tracks. My Protecting Rural Seniors' Access to Care Act will prevent the rule's misguided requirements from going into full effect. It will also establish an advisory panel on the nursing home workforce, representing various stakeholders, including members from rural and underserved areas. This will ensure that the government hears voices outside the big cities—those big cities on the coasts—when it comes to our nursing homes.

Nursing homes are few and far between in rural areas of our country. If one facility closes, the next closest one could be many miles or even many hours away. Just one closure could be detrimental to seniors in some of our communities.

But if our nursing homes stay open, seniors won't have to face that upheaval of finding a new place to live, of moving, of leaving their home communities, leaving their loved ones, leaving their friends, and having that upheaval in their final years. They won't have to leave their family. They won't have to leave loved ones. They won't have to experience the loneliness, the uncertainty, the depression that can come along with moving to an unfamiliar place.

My bill advocates for these seniors, for their care, and for their families. It fights for our rural communities and for our nursing homes in my State of Nebraska and across this country. I will keep pushing for this legislation until the President signs it into law so that we can protect our seniors from a rule that would only harm them, harm their families, and harm their caretakers.

## SUBMITTED RESOLUTIONS

### SENATE RESOLUTION 98—CONDEMNING BEIJING'S DESTRUCTION OF HONG KONG'S DEMOCRACY AND RULE OF LAW

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

S. RES. 98

Whereas, in 1997, Great Britain handed Hong Kong over to Chinese rule under guarantees that Hong Kong would become a Special Administrative Region under the "one country, two systems" principle, pursuant to which Hong Kong's Basic Law would apply and would enshrine "fundamental rights" of Hong Kong residents and a political structure, including an independent judiciary, the right to vote, and freedoms of assembly and speech, among others;

Whereas the Government of the People's Republic of China (PRC) has repeatedly undermined Hong Kong's autonomy since the 1997 handover, including actions which resulted in political protests in Hong Kong, including the 2014 Umbrella Movement protesting Beijing's attempt to reform Hong Kong's electoral system, and the 2019–2020 protests, which opposed the Hong Kong government's decision to implement an extradition law that would have subjected Hong Kongers to prosecution in mainland China;

Whereas the Hong Kong Police Force used excessive force to try to quell the 2019–2020 protestors, many of whom were under the age of 30;

Whereas the Government of the People's Republic of China responded to these protests by passing and implementing the Law of the People's Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region (commonly referred to as the "Hong Kong national security law") a poorly defined criminal statute with extraterritorial reach that includes overly broad charges to punish people for exercising their fundamental rights and freedoms;

Whereas, since its enactment in June 2020, this law has been used by the Government of the People's Republic of China as a pretext to crack down on legitimate and peaceful expression, including the exercise of freedoms of assembly, speech, and religious belief guaranteed to Hong Kong under the Basic Law, to replace the Hong Kong legislature with individuals loyal to the Chinese Communist Party, and to pass new immigration laws that subject Hong Kong citizens and residents, as well as PRC nationals and foreign nationals, to exit bans in Hong Kong similar to those implemented in mainland China;

Whereas, in March 2024, the Hong Kong government enacted national security legislation to implement Article 23 of the Basic Law, officially called the "Safeguarding National Security Ordinance" and also referred to as the "Article 23 Ordinance", which expanded the number of broadly defined national security criminal offenses to include, among other things, "external interference" and "sabotage", weakened legal protections for suspects accused of national security offenses, authorized new punitive measures targeting Hong Kong citizens and non-citizens overseas, and created risks for Hong Kong residents who interact with foreigners;

Whereas nearly 300 people have been arrested under the Hong Kong national security law and the Article 23 Ordinance;

Whereas the Government of the People's Republic of China uses the Hong Kong na-

tional security law and the Article 23 Ordinance to harass, target, and threaten non-Hong Kong citizens and those outside of Hong Kong, and has become a significant perpetrator of transnational repression, including by posting cash bounties for democracy activists living in self-exile outside of Hong Kong;

Whereas, on November 19, 2024, the Hong Kong government sentenced a group of pro-democracy activists, journalists, and former lawmakers commonly known as the "Hong Kong 47" to jail terms ranging between 4 and 10 years as a demonstration of the Hong Kong government's willingness to intimidate and persecute its political opponents;

Whereas, Mr. Jimmy Lai, a 77-year-old Hong Kong pro-democracy advocate and media entrepreneur, has been targeted and persecuted for decades, most recently through multiple prosecutions, including related to exercising his rights to freedom of peaceful assembly and freedom of expression, his sentencing to over five years in prison under politically motivated fraud charges and the seizure of his multimillion dollar independent media organization Apple Daily by the Hong Kong authorities;

Whereas, Mr. Lai, one of the highest profile cases under the 2020 "national security law", has been imprisoned in solitary confinement with inadequate medical treatment since December 31, 2020;

Whereas 5 Special Rapporteurs, as well as the United Nations Human Rights Council Working Group on Arbitrary Detention, have found that Mr. Lai is unlawfully and arbitrarily detained and have called for his immediate and unconditional release;

Whereas the trial of Mr. Lai, which began on December 18, 2023, has been delayed repeatedly;

Whereas international legal experts at the United Nations have expressed concerns regarding prosecutors' use of witness testimony against Mr. Lai that may have been obtained through torture, Hong Kong authorities' interference with the independence of the judiciary throughout the case, and harassment and intimidation of Mr. Lai's lawyers, undermining his right to a defense;

Whereas the Government of the People's Republic of China's undermining of democracy in Hong Kong has ramifications for the international order, including with regard to the future of Taiwan;

Whereas the Hong Kong government has conducted a public relations campaign to convince global business leaders that Hong Kong remains a critical and attractive international financial center, while simultaneously undermining the independence of institutions that encouraged its growth over the past several decades;

Whereas Hong Kong has increasingly become a hub for the transshipment of export-controlled goods and sanctions evasion relating to the People's Republic of China, the Democratic People's Republic of Korea, the Russian Federation, and the Islamic Republic of Iran, directly supporting Russia's defense industrial base and enabling its continuing war of aggression against Ukraine;

Whereas Hong Kong still maintains a separate voting share from the People's Republic of China at many multilateral organizations—including the Asia Pacific Economic Cooperation forum, the Financial Action Task Force, the International Olympic Committee, and the World Trade Organization—effectively doubling the People's Republic of China's voting power at these critical institutions; and

Whereas the Hong Kong Human Rights and Democracy Act (Public Law 116–76; 22 U.S.C. 5701 note), signed into law in November 2019, requires the President to impose sanctions