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## Senate

The Senate met at 3 p.m. and was called to order by the Honorable TAMMY DUCKWORTH, a Senator from the State of Illinois.

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Spirit, guide our lawmakers today as they seek to do Your will. Deliver them from the forces that seek to destroy freedom. Use our Senators to make a better world as they strive to create a planet where people can dwell together in harmony. Inspire our legislators to decrease that You may increase and illuminate our world with Your glory. Give them the wisdom to seek You often in prayer, with grateful hearts. Lord, guard their hearts and minds with Your peace. Help them to turn their struggles into stepping stones that will glorify You.

We pray in Your Holy Name. Amen.

### PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mrs. MURRAY).

The bill clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,

Washington, DC, September 18, 2023.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TAMMY DUCKWORTH, a

Senator from the State of Illinois, to perform the duties of the Chair.

PATTY MURRAY,  
President pro tempore.

Ms. DUCKWORTH thereupon assumed the Chair as Acting President pro tempore.

### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

### CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

### LEGISLATIVE SESSION

MILITARY CONSTRUCTION, VETERANS AFFAIRS, AND RELATED AGENCIES APPROPRIATIONS ACT, 2024—Resumed

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 4366, which the clerk will report.

The bill clerk read as follows:

A bill (H.R. 4366) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes.

Pending:

Schumer (for Murray/Collins) amendment No. 1092, in the nature of a substitute.

Murray amendment No. 1205 (to amendment No. 1092), to change the effective date.

Schumer motion to commit the bill to the Committee on Appropriations, with instructions, Schumer amendment No. 1207, to change the effective date.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

H.R. 4366

Mr. SCHUMER. Madam President, the lesson of the past few years has

been that bipartisanship is key to getting things done in the Senate, even in these divided times.

A few months ago, bipartisan majorities in both Chambers passed an agreement on appropriations top lines for the fiscal year 2024 and avoided a catastrophic default, which would have been so damaging to America.

Since then, Senate appropriators, led by Chair PATTY MURRAY and Vice Chair SUSAN COLLINS, have drafted legislation honoring this bipartisan agreement. It took months of work and a lot of compromise, but all 12 appropriations bills have made it through the committee, all of them bipartisan and many with unanimous support. Nobody got everything they wanted, but disagreements did not stymie progress.

So, again, bipartisanship is getting things done. That has been proven over and over again in recent years. But the reverse is also true. When a small band of Senators chooses partisanship over progress—when they mimic the chaos of the House Freedom Caucus—it threatens the good work of this Chamber.

That is what happened last Thursday, when one Senator's objections prevented us from moving forward with the appropriations process. One Member, mimicking the House Freedom Caucus, has derailed the Senate and prevented us from considering amendments, including Republican amendments.

It is a reminder that in both Chambers a small band of hard-right Republicans are dead set on grinding down the gears of government. For these MAGA Republicans, it is as if gridlock is a virtue and cooperation a crime.

I ask this small group of Senate Republicans: What happened to wanting to do appropriation bills regular order?

We said we would allow amendments. We have put a minibus on the floor with the cooperation and guidance of Senate Republican appropriators. These stunts of this very small band

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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only serve to undermine regular order in the first place and fly in the face of what our Republican colleagues asked us to do.

That is the danger of MAGA extremism. It is incapable of governing. It only produces chaos. It is so bad that, last week, MAGA extremists in the House prevented even a defense bill—even a defense bill—from moving forward. It is a scary pattern we are seeing emerge with some on the hard right: extremism at all costs, even at the cost of our national defense. I urge my Republican colleagues to resist and reject these hard-line attempts to derail the Senate's work.

A great majority of Senators from both parties want to see us move forward. In the coming days, I will work with my colleagues on getting the appropriations process back on track so we can finish processing these appropriation bills and get us one step closer to funding the government, because we all know, if the government shuts down, it will hurt millions and millions and millions of Americans who did nothing at all.

#### CONTINUING RESOLUTION

Madam President, on the CR, September 30 is only 12 days away. If bipartisanship is allowed to work, we can avoid a government shutdown before then. Sadly, things in the House are not off to a good start. Last night, House GOP Members released what they called a deal for a CR but in reality reads like a hard-right screed. Instead of working with Democrats to keep government open, House Republicans want to cut virtually all non-defense spending by a devastating 8 percent—8 percent—8 percent cuts to law enforcement, cancer research, and other critical priorities. Not one penny is dedicated to the President's disaster relief request, despite the anguish in so many States. No health extenders are included, no attempt to reauthorize the FAA.

And with no Ukraine funding, the proposal is an insult to Ukraine and a gift to Putin. I cannot think of a worse welcome for President Zelenskyy, who visits us this week, than this House proposal, which ignores Ukraine entirely.

Last night's proposal in the House can be boiled down to two words: slapdash, reckless—slapdash because it is not a serious proposal for avoiding a shutdown and reckless because, if passed, it would cause immense harm to so many priorities that help the American people. Again, this Freedom Caucus wish list is not a serious proposal for avoiding a government shutdown and, if passed, would never have enough votes to make it through the Senate.

To his credit, the Speaker knows a shutdown would be a terrible outcome. When I spoke with him in late July, we had a very encouraging conversation about the need for bipartisanship to avoid a shutdown. We both recognized that a bipartisan CR would be the way

forward. Two months later, a bipartisan CR is still the only answer for avoiding a government shutdown.

I urge Speaker MCCARTHY, as well as reasonable House Republicans, to resist the 30 or so extremists within their ranks who seem dead set on provoking a crisis. The House Freedom Caucus cannot be allowed to bully the rest of the House into submission, as hard as they might try.

Time is short to finish the job. If both sides embrace bipartisanship, a shutdown will be avoided. If the hard right is given a license to run the show, a shutdown is almost inevitable. It is that simple.

#### UNITED AUTO WORKERS STRIKE

Madam President, now, on the UAW strike, today, the United Auto Workers enters its fourth day on strike for better wages, health benefits, and safer working conditions.

America wouldn't be what it is today without strong unions like the UAW. The UAW helped build and strengthen the middle class, and, for decades, the UAW has been a leader in the fight for workers' rights and fair labor standards. So it is no surprise that the UAW is once again leading the way with this historic strike on the big three car companies.

The UAW's demands to these companies are simple: better pay, better benefits, better working conditions. Surely, that is not too much to ask of these car companies, which brought in record profits over the last few years. The workers helped create those profits. They are largely the reason there are such profits, and now, they deserve to get some of the benefits.

I stand in solidarity with my brothers and sisters at the UAW, and I urge the big three car companies to bargain in good faith to quickly reach a new contract that is fair and equitable for workers.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### RECOGNITION OF THE MINORITY LEADER

The Republican leader is recognized.

#### IRAN

Mr. MCCONNELL. Madam President, today, five American hostages are on their way home from unjust detention in Iran. Unfortunately, the deal that secured their release may very well be the latest example of President Biden rewarding and incentivizing Tehran's bad behavior. For the past 2½ years, the administration's weakness and desperation have emboldened—emboldened—a massive state sponsor of terror and would-be nuclear arm aggressor.

Take the \$6 billion the United States has reportedly just released to the Iranian regime. Administration officials have insisted that this money is subject to strict oversight and may only be used for humanitarian purposes.

Iran's President, on the other hand, understands that money is fungible. He said:

Humanitarian means whatever the Iranian people needs . . . and the needs of the Iranian people will be decided and determined by the Iranian government.

Well, we know quite well that the Iranian people's needs and the Iranian regime's priorities rarely overlap. For example, protesters continue to take to the streets across Iran to denounce the regime 1 year after the so-called morality police killed a young woman for not wearing her head scarf correctly. Brave Iranians are taking greater and greater risks to speak up for freedom from the brutality of a corrupt, theocratic regime.

Meanwhile, as the regime meets these protests at home with force, its focus abroad remains on exporting repression, terror, and economic interference throughout the region and beyond.

Tehran continues to accelerate its enrichment of weapons-grade uranium and stonewall international inspectors seeking the truth about Iran's weaponization work. Just last week, the regime barred several U.N. inspectors from conducting scheduled oversight across the country.

The regime is racing to ramp up production of the weaponized drones it uses against Arab and Israeli civilians to supply Russian violence in Ukraine.

Iran-backed militia continue to threaten U.S. servicemembers in Iraq and Syria. Tehran continues to funnel resources to terrorist proxies—like Hezbollah in Lebanon and Hamas in Gaza—that attack Israel. And the regime has even plotted to kill U.S. officials and dissidents here on American soil.

And last week, the IRGC seized two more tanker ships in the Arabian Gulf and detained their civilian crews, part of a longer campaign to threaten freedom of navigation and the entire global economy. This growing threat has led the U.S. military to deploy 3,000 additional marines to the Red Sea and prepare to put U.S. personnel on commercial vessels to try to deter Iranian aggression.

By every measure, Iran poses a greater threat to its neighbors and to the United States than it did 2½ years ago. The Biden administration's record of appeasement and squandered leverage has left Americans less secure.

The urgent question now is when the President will decide to change course because, so far, his administration's obsession with reviving a flawed nuclear deal actually suggests otherwise.

#### BORDER SECURITY

Madam President, on another matter, on the Biden administration's watch, America's southern border has

descended into humanitarian disaster. And across the country, Democrats' open border policies have turned every State into a border State.

The fentanyl trafficked across the southern border has become the leading cause of death among Americans 18 to 45. Of the 2,135 overdose deaths in my home State last year, fentanyl was the most prevalent drug involved. And nationwide, synthetic opioids contributed to about 75,000 of the nearly 110,000 overdose deaths.

The painful ripple effects of Washington Democrats' failure to address the border crisis extend even further. In major cities all across the country, the flow of illegal migrants is testing the patience of even the most liberal mayors.

The number of arrivals in New York City is now close to 10,000 a month, and Mayor Adams has said that the city's response will cost \$12 billion over the next 3 years if the flow continues at the same rate. Being a sanctuary city is starting to come at a price.

Meanwhile, the Biden administration has continued to sit on resources that were already paid for during the previous administration. The Army Corps of Engineers is paying \$160,000 per month to store more than 20,000 unused border wall panels that have already been paid for by the taxpayers.

But instead of finally starting to enforce our immigration laws, the Biden administration apparently wants to respond by gutting the Agency tasked with doing so, Immigration and Customs Enforcement.

The junior Senator from Tennessee, Senator HAGERTY, wrote recently about how the administration's supplemental funding proposal included a provision to redirect ICE funding toward paying for community-based residential facilities, airplane tickets, and hotel rooms.

As our colleague put it:

This would effectively convert ICE from a law enforcement agency into a U.S. travel agency for illegal aliens.

So Washington Democrats' neglect has shattered American border security. Now, they want to make life even harder for men and women working harder to clean up this mess. The American people need security, not another attack on law enforcement.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. SCHUMER. Madam President, in a moment, Senator MURRAY will move to suspend rule XVI and file cloture on that motion. This is an effort to move forward on the minibus and keep the appropriations process on track here in the Senate.

It is unfortunate that one Member who does not represent the views of most Senators prevented us from moving forward last week, but I believe a majority of Senators want to keep moving forward.

Our Republican colleagues have asked for regular order, and we have worked with them to let that happen.

It was with the cooperation and guidance of Republican appropriators that we brought these three appropriations bills to the floor, and we have said we will allow amendments.

In short, we are doing what our Republican colleagues have properly asked for—pursuing regular order. So I hope Senators from both sides will vote to allow the appropriations process to continue.

A deep debt of gratitude and thank you for the hard work to Chair MURRAY, Vice Chair COLLINS, and appropriators on both sides of the aisle.

#### WITHDRAW MOTION TO COMMIT

Madam President, I withdraw my motion to commit H.R. 4366 to the Appropriations Committee.

The ACTING PRESIDENT pro tempore. The Senator has that right.

The motion is withdrawn.

The Senator from Washington.

#### MOTION TO SUSPEND

Mrs. MURRAY. Madam President, having notified the Senate under rule V of the Standing Rules of the Senate, I move to suspend rule XVI for consideration of amendment No. 1092 to H.R. 4366.

#### CLOTURE MOTION

Madam President, I send a cloture motion to the desk.

The ACTING PRESIDENT pro tempore. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to suspend the rules under rule V of the Standing Rules of the Senate with respect to substitute amendment No. 1092 to Calendar No. 198, H.R. 4366, a bill making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes, as printed in the CONGRESSIONAL RECORD on September 14, 2023.

Patty Murray, Susan M. Collins, Tammy Baldwin, Robert P. Casey, Jr., Sherrod Brown, Margaret Wood Hassan, Ron Wyden, Jack Reed, Amy Klobuchar, Catherine Cortez Masto, Tom Carper, Martin Heinrich, Gary C. Peters, Christopher Murphy, Brian Schatz, Cory A. Booker, Charles E. Schumer.

Mrs. MURRAY. Madam President, I ask unanimous consent that the mandatory quorum call for the cloture motion filed today, Monday, September 18, be waived.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### MOTION TO COMMIT WITH AMENDMENT NO. 1230

Mr. SCHUMER. Madam President, I move to commit the bill, H.R. 4366, to the Appropriations Committee with instructions to report back forthwith with an amendment.

The ACTING PRESIDENT pro tempore. The clerk will read the amendment.

The legislative clerk read as follows:

The Senator from New York [Mr. SCHUMER] moves to commit the bill, H.R. 4366, to the Appropriations Committee with instructions to report back forthwith with an amendment numbered 1230.

The amendment is as follows:

(Purpose: To change the effective date)

At the end of division C, add the following:  
**SEC. 422. EFFECTIVE DATE.**

This Act shall take effect on the date that is 9 days after the date of enactment of this Act.

The ACTING PRESIDENT pro tempore. The President pro tempore.

Mrs. MURRAY. For the information of all Senators, last week, an overwhelming 91 Senators voted to begin debate on the bipartisan appropriations package. This is a package of bills which—each one of them passed the Appropriations Committee unanimously.

We have been working very hard in a bipartisan effort and in good faith to set up a very robust process for amendments and for debate. Unfortunately, a few Senators decided to object to us last week, and now we are moving forward.

I would say a lot of Senators have come to me and others and spoken on the floor about how much they hate doing a gigantic omnibus at the end of the year. We have been working really hard on this package to make sure we don't get stuck doing that once again. So if everyone is serious about wanting to show that this place can actually work, well, now is the time to come together to make sure we can do that.

We cannot let a few Senators toss out months of hard work to move us closer to regular order and abandon an overwhelmingly bipartisan effort to do something as basic as funding our government and then put us on a collision course for another huge omnibus. That is why we are filing for a necessary procedural vote today that we will vote on later this week that will keep this bipartisan process on track.

Madam President, I would inform Senators that as we wait for this vote to ripen, we are continuing to work through a list of amendments and a package of amendments that we can approve as soon as we can get the necessary votes to get back on the bill.

I yield the floor.

The ACTING PRESIDENT pro tempore. The senior Senator from Illinois.

Mr. DURBIN. Madam President, what you just witnessed here is, we hope, a new day in the U.S. Senate. You see, we have the responsibility of appropriating the money for the Federal Government. We do it in 12 different bills. The total cost to the taxpayers for the resources for the government come to the neighborhood of \$1 trillion, so it is a big undertaking.

For 5 years, we failed to pass those 12 bills individually. We passed them in a group known as an omnibus. It is usually done either at the end of the fiscal year, which ends September 30, or a few weeks or months thereafter.

So this year, we decided in the Senate to try to do it differently, do it better. What we have done through the

Appropriations Committee, which I serve on, is to take up each individual bill of the 12 bills. We are trying to pass them on a bipartisan basis because this body is divided, 51 Democrats and 49 Republicans.

We picked two of the best legislators in the Senate to accomplish this—Senator PATTY MURRAY, who just spoke, from the State of Washington, a Democrat, and Senator SUSAN COLLINS, a Republican, from Maine. The two of them did miracle work in the committee; they got all 12 bills individually passed.

We are in the process of trying to consider three of those bills at a time—three of those bills now. That is what we were embarking on last week. In order for us to take up these bills, we needed to suspend the rules of the Senate because of the procedure that we face. When we tried to do that, one Senator, a Republican Senator from Wisconsin, objected. Because of his objection and the nature of the Senate, we were back to the starting point, and it led to what we saw today.

Senator SCHUMER, the Democratic leader, and Senator MURRAY, the President pro tempore and chairman of the Senate Appropriations Committee, have asked for permission to take up those three bills and to amend them and debate them and pass them. In order to do that, we have to suspend the rules of the Senate. It is not an easy thing. Usually we do it by saying, “Do I have unanimous consent to suspend the rules?” and it happens. This time, when we said, “Do we have unanimous consent?” that one Senator objected. He has his own reasons. He can explain them. But it meant we had to come back here today and start to suspend the rules. It takes a two-thirds vote, 67 votes, in the Senate.

So, you see, this isn't an easy Chamber in which to get things done, but I think we are on the right track. It is a bipartisan undertaking, and we are considering each of the bills and subjecting them to amendments—just the way it used to be for many years, for many decades. I think that is better.

Contrast that with what is going on in the House of Representatives. At this point, they can't pass any bills. They couldn't pass any appropriations bills, and now they are considering a bill for short-term spending for our government. Speaker MCCARTHY said he will call for a vote this week. I don't know if it will pass or not. There is quite a feud going on over there.

We are following an orderly, bipartisan process to have a closer look at each of the spending bills for the Senate and for taxpayers in this country. I think this is the right way to do it. I hope the Republican leadership in the House of Representatives can get their act together. We will find out this week.

That is not the reason I came to the floor, but I wanted to make sure that we made a point of what Senator MURRAY said. This is a historic, bipartisan undertaking. I think the American peo-

ple more than anything want us to get along and work together and solve some problems, and this will be a step in that direction.

So that is what we just went through.

#### UKRAINE

Madam President, each year, the United Nations in New York has a General Assembly meeting. Countries come with their leaders from all around the world.

Many people—myself included—watch “60 Minutes” on Sunday. Last night on “60 Minutes,” Volodymyr Zelenskyy, the President of Ukraine, talked about what he is facing with this Russian invasion by Putin and what it has meant to his country. He said that he is coming to New York to make a presentation to the United Nations.

I think it is important that he does this. I want him to remind the American people, who, through the NATO alliance, have been steadfastly in support of the Ukrainian people, what is at stake.

Vladimir Putin said he wants to restore Russia's so-called “lost glory.” That is the twisted rationale behind his disastrous invasion of Ukraine, one that has led to nearly half a million Ukrainians and Russians being killed or wounded simply for Putin's blood-thirsty ambition.

Putin will not be traveling much outside Russia. If you wonder why, it is because the International Criminal Court, when it looked at the activity of the Russian invaders in Ukraine, ended up issuing an arrest warrant, branding Vladimir Putin a war criminal.

Why would they call him a war criminal? Because they killed innocent civilians certainly but equally because they had a mass abduction of Ukrainian children into Russia—something that has hardly ever happened in history, but Putin has done it.

So they issued an arrest warrant for Putin over the war crimes. It is the first time in history for a leader of one of the permanent members of the U.N. Security Council to be so charged. It is no surprise when you see what he has done and what he threatens to do. Putin has isolated Russia. He has arrested Russians for political dissent. He has quashed the freedom of the press. He is destroying the Russian economy.

Despite these clearly tragic outcomes, he is doubling down even further in a move my Delaware colleague, Senator COONS, aptly called the “devil's deal.” You see, international sanctions, global isolation, and a determined Ukrainian military have left Putin scrambling for military supplies and weapons. He first turned to help from one of the world's worst rogue nations. You might have heard Senator MCCONNELL talk about Iran earlier. That is right—while the Iranian Government was beating, murdering, and repressing mass protesters who were demanding basic freedoms, Putin was

there, hat in hand, pleading for military weapons.

Just last week—what classic photographs these are. He turned and asked for help from Kim Jong Un, the leader of North Korea. It is hard to imagine a more deadly duo than these two.

While the Iranian Government was doing these things, he is pleading for weapons; and now he has met with North Korean dictator Kim Jong Un, further request for weapons. His effort to restore Russian glory has, instead, resulted in pleading for help from two global despots and fostered NATO enlargement along Russia's border. That is the thing that we have got to keep in mind that has been achieved by this war. There is more unity in the NATO alliance than anytime in its history. In fact, for the first time in recent history, we have expanded NATO to include Sweden and Finland.

It has been my good fortune to attend the Munich security council in Germany this spring and to meet, again, the President of Finland, President Niinisto.

This morning's New York Times has an article, which I commend to you.

Madam President, I ask unanimous consent to have it printed in the RECORD.

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

#### FINNISH LEADER WARNS EUROPE ABOUT RUSSIA

(By Steven Erlanger)

Helsinki, Finland—The president of Finland, Sauli Niinisto, is the person considered most responsible for bringing his country into the NATO alliance—and Sweden, too, which is awaiting ratification—following the Russian invasion of Ukraine. President Biden has consulted him about Russia and its president, Vladimir V. Putin, whom Mr. Niinisto has met numerous times.

In a long interview in his light-filled modernist residence in Helsinki, Mr. Niinisto warned European leaders and citizens not to become complacent over the risks of escalation in Russia's war against Ukraine.

The war in Ukraine will last a long time, he said, and wars can take unexpected paths, even toward the use of nuclear weapons.

The invasion, Mr. Niinisto said, was “a wake-up call” for Europe and NATO.

“Well, it was ringing loudly in February 2022,” he said. “But do you hear it anymore? That clearly? That might be a good question—whether all Europeans realize that this is a European issue.”

Mr. Niinisto, 75, is nearing the end of his 12 years as the Finnish president. In the interview, he was philosophical, but troubled, too. Finland has much experience—and an 830-mile border—with its imperialist neighbor, Russia.

Recalling Finland's numerous wars with Moscow, including the 1939 Winter War and World War II, when the Finns fought off the Soviets but had to cede some territory, Mr. Niinisto said European countries that let down their defenses after the collapse of the Soviet Union made a grave mistake.

Here are a few highlights from the interview:

He warned about the risks of Russian escalation and even nuclear war.

Speaking about debris from what appeared to be a Russian drone landing recently in Romania, which is a member of NATO, Mr.

Niinisto cautioned: "We're in a very sensitive situation. Even small things can change matters a great deal and unfortunately for the worse. That is the risk of such large-scale warfare." He added, "The risk that nuclear weapons could be used is tremendous."

Given those risks, he urged critics without political responsibilities to understand the hesitation of leaders to accelerate the war.

His warnings, he said, were partly a response to those who criticize the policies of Mr. Biden and Chancellor Olaf Scholz of Germany as too cautious in supplying Ukraine with sophisticated, long-range missiles and drones that could easily hit Russian-occupied Crimea and Russia.

"There's a difference between those who have responsibility and those who don't," he said. "Also, in Finland, we hear voices that America should do that or that. And I just wanted to point out that if there's escalation to a big war, that's world war, so then the nuclear risk becomes clearly bigger." He urged everyone "to understand the position of those who have responsibility."

Some countries shrank their militaries after the collapse of the Soviet Union. Finland did not.

He urged Europeans to heed Finland's example.

Unlike Sweden, a close neighbor in all fields, including defense, Finland still has conscription for males, and also allows women to enlist. Those who finish conscription remain in the reserves, as they do in Israel, for decades, and take part in military training and exercises at least twice a year—now more often—in conjunction with other public services, such as the police and the fire brigades.

And Finland, schooled in self-reliance, maintains large artillery forces, still makes its own shells and ammunition, and even bought advanced F-35 fighter jets before Russia's invasion of Ukraine.

After the Cold War, Mr. Niinisto said, "we Europeans learned to live an always improving life."

"Decade after decade," he said, "it strengthened the feeling that it's a bit old-fashioned even to talk about defense forces or defending because that's not possible in a modern world. Now there's a huge wake-up. Fortunately, in Finland, our position remained totally different."

He has few illusions about Russia and Mr. Putin.

In their meetings before the invasion in February 2022, Mr. Niinisto said, Mr. Putin was focused, aggressive and well-informed, even obsessive, about Russian culture. He said he decided to test Mr. Putin by asking him about Mikhail Lermontov's poem on the death of Pushkin, Russia's greatest poet. Mr. Putin spoke for more than half an hour. "He knew everything about that—for him it's Russia, Russia overall," Mr. Niinisto said.

Russia ruled Finland for more than a century, until, in the chaos of Lenin's takeover, Finland declared independence in 1917. The wars with Russia since then are seared "in our backbone," Mr. Niinisto said. Russian history goes in waves, he said, citing "a centuries-old Finnish saying that 'the Cossack takes anything that is loose,'" that is not tied down. (Finns used to use "Cossack" as shorthand for "Russians," he said.) But it is a reminder that free countries must keep their defenses up and their goods safely stored.

He and Mr. Biden talked often about Russia.

The two presidents spoke about Russian intentions in Ukraine before Mr. Niinisto met Mr. Putin in Moscow in October 2021, continuing their conversations at the Glasgow climate summit the next month and afterward, as Russian troops were building

up on the border with Ukraine. They spoke again in January, and Mr. Biden asked Mr. Niinisto to urge Mr. Putin not to invade. Russia invaded the next month.

After the invasion, Mr. Niinisto was among the first European leaders to meet Mr. Biden in the White House, on March 4, where he put forth the possibility of Finland joining NATO. After the Russian invasion, he said, "it became very obvious that we had no other alternative than giving up our military nonalignment."

Mr. Biden was supportive from the start, Mr. Niinisto said.

Russia isn't going anywhere.

Mr. Niinisto said he does not know how long the war will last, or how it will end, or "what life will be like when we again have peace."

But even when the conflict ends, Russia will remain. "There's also a big European interest to make sure that Russia is not returning back to warfare after peace in Ukraine" without insisting that the Russians "have to be blown out," he said carefully. But he emphasized that trust would be needed to ensure that "a new war is not waiting behind the door."

There is always life after war, he said, and there is nothing more valuable for people than peace.

"Without peace, you have nothing, so I'm sure that ordinary Russians share these feelings," Mr. Niinisto said. "It's a basic human feeling."

There must be a way to maintain a relationship with Russia, he said. "I don't mean any great friendship" Mr. Niinisto said, "but the capability to tolerate, even understand each other a bit."

Mr. DURBIN, Madam President, the September 18 New York Times, the Finnish leader, President Niinisto—now serving his second term—made an historic decision to ask for membership in NATO. He is a wonderful man; he is on a second term and is extremely popular in his country. And he asked to join the NATO alliance so that it could stand up against Putin.

He reminds us in this article that Finland has a great experience with its neighbor Russia and an 830-mile border with the Russian leadership.

He recalls "Finland's numerous wars with Moscow, including the 1939 Winter War and World War II, when the Finns fought off the Soviets but had to cede some territory, Mr. Niinisto said European countries that let down their defenses after the collapse of the Soviet Union made a grave mistake."

And so he has asked to join the alliance.

I was at a meeting with President Niinisto, and he said he picked up the phone one day and called Vladimir Putin in Moscow. It is hard to imagine, isn't it? But he said: I told him, point-blank, I am joining the NATO alliance.

Putin said: You don't have to. I am not going to invade your country.

He said: I can't trust you anymore after what you have done to Ukraine.

That is a message that Zelenskyy was delivering last night on "60 Minutes." I want to make clear on the floor: Putin is not going to stop his ambition to acquire other countries, and there are many that are in fragile, dangerous situations.

I am blessed to represent the State of Illinois and city of Chicago, as the Presiding Officer does. And there are some

wonderful groups of people who have come to the State and our city that have made us what we are today. Among them are the Polish people. They say that Chicago is the second largest Polish city in the world, next to Warsaw. It is probably true. They are great folks, and I am honored to represent them. They know what the Soviet occupation through the Warsaw Pact meant to Poland, and they understand the danger if Putin is successful in Ukraine. The neighbors to Poland feel the same way—the Baltic nations of Estonia, Latvia, and Lithuania. I have a special connection there. My mother was born in Lithuania. I have been there many times, and I greatly admire the people of all the Baltic states. But they are small countries; they couldn't stand a chance of fighting off Vladimir Putin if he decided to invade them.

The point made by Niinisto—the point made by the NATO alliance, the point that President Biden is making and, I might add, many Republican leaders, like Senator MCCONNELL, is that it is in our best interest to stop Putin now in Ukraine because he has ambitions that reach far beyond the borders of that country.

The United States is not sending troops. We are sending military equipment, artillery, ammunition; and we are giving advice to the Ukrainians so that they can win this battle. This battle is not just for Ukrainian sovereignty; it is for our own protection in the years to come.

This week in Washington, we will be visited by President Zelenskyy of Ukraine. He will go to New York first to address the United Nations General Assembly. I think he is going to come through with a clear message to global leaders, to NATO, to Congress, and to the American people: Quite simply, Ukraine is fighting with the lives of its own people against a nuclear state—Russia—that threatens the world. If Ukraine falls, Putin will certainly go farther—to Poland, to the Baltic states—and trigger an even wider war. Putin cannot be changed, but he can be stopped in Ukraine. The Ukrainian people are showing extraordinary courage and determination.

I agree with President Zelenskyy. We must continue our support for these brave people fighting for their country and against Russian tyranny that threatens the world.

We can start by passing the Biden administration's most recent funding request. I am going to do my part in the Senate to make sure we get that done, and I call on my colleagues to do the same.

I would say to President Zelenskyy: Your message was delivered on "60 Minutes." You are looking for allies who will stand up against the aggression of the war criminal Vladimir Putin. The United States and NATO will be those allies.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

H.R. 4366

Mr. CORNYN. Madam President, the end of the fiscal year is just 12 days away, and the Senate has not yet voted on a single one of the 12 appropriations bills that have passed on a bipartisan basis out of the Appropriations Committee.

The majority leader, who controls the agenda of the Senate and the timing at which we consider matters, has had all year to plan and prepare for the September 30 deadline. But here we are, less than 2 weeks before a shutdown, with no clear path to funding the government.

At the start of last week, this Chamber was preparing to take up a three-bill minibus. In other words, having not started to vote on any single bill, the majority leader put a bill on the floor that combines 3 of those 12 appropriations bills. This is something the Senate has done before; but to be clear, this is not a feature of the regular order of things. Following the regular order involves taking up and passing each appropriation bill one at a time.

Had the majority leader taken this process seriously, he would have had time to do that. The Appropriations Committee passed the first funding bills on June 22, which is nearly 3 months ago. The Senate could have been processing those funding bills at any point over the summer. We could have followed the regular order and debated, amended, and passed all 12 bills ahead of the September 30 deadline. Sadly, that didn't happen, which is now why we find ourselves in this situation. It didn't have to be this way; but, apparently, the majority leader Senator SCHUMER, the Senator from New York, wanted it this way.

Diverging from regular order to take up a minibus requires unanimous consent because it is in violation of rule XVI of the Standing Rules of the Senate. And we know there are objections to waiving the provisions of rule XVI, hence we are where we are today.

In politics, we sometimes talk about the art of the possible. We take stock of different Members' positions, time constraints, procedural hurdles, and determine what is possible, what is feasible. Now, plan A should have been to follow the regular order and pass these bills one at a time through regular order, as I said, consistent with the Standing Rules of the Senate. But since that ship has sailed, we now have to figure out what plan B is.

Like many of my colleagues, I want the Senate to work the way the rules provide for. And finding ourselves in the predicament we are in, which is entirely predictable, I think the best course of action is to move forward with all three of these bills.

Each of these bills passed the Appropriations Committee unanimously. They are products of a thorough bipartisan committee process, and they are ready for a thorough bipartisan floor

process. Unfortunately, we know that with only 12 days to go, how this movie will end. Ultimately, there are two choices. One is we pass a continuing resolution to give the House and the Senate more time to work on the underlying appropriation bills, or we will end up in a government shutdown. It didn't have to be this way.

But if it is not possible to move forward on all three of those bills contained in the minibus, which it currently is not possible, we need to move forward with the Military Construction-VA funding bill. There is no objection to doing that, and we are wasting valuable time by not processing that appropriation bill.

But with just 12 days before the end of the fiscal year, I know we are all anxiously watching the calendar because our country is barreling toward a shutdown, and the American people are confounded by the fact that the United States Senate has not even yet—even with all this time—has not even yet started to vote on any funding bills.

Again, this is not inevitable. We didn't have to deal with it this way. Senator SCHUMER could have put the first appropriations bill on the floor in June, July, August; but here we are on September 18 trying to map out the process for the first funding bill.

There is bipartisan bewilderment at why we have landed here. After all, the Appropriations Committee put us in the strongest possible position to advance these funding bills on a timely basis.

Senator MURRAY and Senator COLLINS—the chairman and ranking member of the Senate Appropriations Committee—promised to return to regular order, and that is exactly what they delivered. What they didn't figure on is that their principal obstacle would prove to be the majority leader of the Senate who sabotaged their bipartisan regular order effort by not bringing these bills to the floor on a timely basis.

As I said, all of the appropriations process happened in June and July, and there is no reason why it should have taken this long for the majority leader to start mapping out the floor process. This is no way to run a railroad, much less the U.S. Senate; and I am frustrated we find ourselves just 12 days before a government shutdown.

So I hope we will be able to find a path to process appropriation bills. But if that is not possible, we need to do what we can while we can. One bill is better than nothing, which seems to be Senator SCHUMER's preferred outcome—nothing. So if there is a shutdown, which I hope there is not, it doesn't serve the interests of the American people or either of the political parties—the House or the Senate. But if there is, then it has to be called a SCHUMER shutdown.

22ND ANNIVERSARY OF THE SEPTEMBER 11, 2001, ATTACKS

Madam President, on another matter, last week marked the 22nd anni-

versary of the terrible terrorist attacks against the United States of America on September 11, 2001. The 9/11 attacks are one of those events that we will always remember where we were and what we were doing—just like I remember when I was 11 years old, when John F. Kennedy was assassinated in Dallas, TX.

Even though more than two decades have passed since 9/11, the pain our Nation endured on that day is still fresh in the minds of many Americans and, certainly, all of us who were old enough to remember it. We remember the images that covered the front pages of the newspaper and the scenes we saw depicted on our television sets. We remember the bravery of the firefighters who ran into the buildings and the Good Samaritans who put their lives on the line to save others.

But most of all, we remember the people who lost their lives that day—the 2,977 innocent lives, the thousands more who were injured, and the countless people whose lives were changed in an instant.

As a country, we came together and vowed to never forget the events of September 11 and ensure that those responsible would be brought to justice. As part of that commitment, Senator SCHUMER and I introduced legislation called the Justice Against Sponsors of Terrorism Act, or JASTA, which became law in 2016. It amended the Federal law so that foreign sponsors of terrorist attacks could be held accountable. What this meant, in practical terms, was that the people impacted the most, who lost families, loved ones, property, or businesses, could bring a civil suit against the foreign nation that sponsored and financed terrorist attacks on our soil on that day. This includes the parents who lost their children, wives who lost their husbands. This legislation provided a path forward for families who lost everything so they could have their day in court. This law made clear that any country, any person, or entity that finances terrorists for attacks on American soil could be expected to be hauled into a U.S. court to face justice.

There was a sigh of relief from the victims of 9/11, but over the last several years, it has become clear that the law needs technical fixes. Some defendants, including countries accused of financing and sponsoring terrorism, have exploited perceived loopholes in the law to claim total immunity from lawsuits, which was not our intention. This flies in the face of the text, the structure, and the intent of this law, and prevents the 9/11 families and survivors from pursuing justice.

Earlier this year, Senator MENENDEZ, the chairman of the Senate Foreign Relations Committee, and I introduced new legislation to make important technical corrections to JASTA. Actually, I think the law doesn't need a correction, but it does deserve a clarification, where a court listening to an argument made by a country, perhaps,



that financed these terrorist attacks, says: Well, it doesn't include some categories of recovery for damages. Our bill simply clarifies who can sue and who can be sued to ensure JASTA operates the way we originally intended it to back in 2016.

So when Congress debated JASTA several years ago, folks were divided into two distinct camps. In one camp were the supporters of the bill. This included the 9/11 families, obviously, whose lives were forever changed because of the attacks on our country. They wanted foreign nations and entities to be held liable if they aided and abetted terrorists, and I was proud to stand shoulder to shoulder with them and help move this legislation through the Senate. The majority of our colleagues in Congress—Democrats and Republicans—fell into that one camp. We wanted to see justice for the 9/11 families.

In another camp—let's call it camp 2—were opponents of this law. This included the Kingdom of Saudi Arabia, which did not want to be held accountable for any role it might have played in spreading terrorism or financing these attacks on American soil. It launched an extensive lobbying campaign and promoted bogus narratives in an attempt to defeat or weaken support for JASTA. Sadly, camp 2 included some members of the Obama administration, which parroted a lot of the Saudi talking points and tried to stop the bill from becoming law. As a matter of fact, President Obama vetoed JASTA, but this legislation had such overwhelming support, it gave way to the only veto override of the Obama administration.

Several years have passed, and the camps haven't changed, but the occupant of the White House has. President Biden still hasn't taken a public position on fixing JASTA, but his administration seems to be leaning toward camp 2, siding with the Saudis over the 9/11 families.

High-ranking Biden officials have dusted off the Saudi talking points that we once heard from the Obama administration. One of the arguments I have heard against this bill is that we do not enact laws that affect pending litigation. But that simply is not true. Every statute that amends the United States Code alters current litigation unless we state that it is only prospective in application.

JASTA was enacted while there was an appeal pending in the Second Circuit relating to the ability of the 9/11 plaintiffs to sue them under the tort exception to the Foreign Sovereign Immunities Act. JASTA itself is the example of Congress viewing errors in judicial interpretation and stepping in to fix them. It is the law we passed, and we need to see that our intent—congressional intent—is actually enforced by the courts. Nobody complained that we were doing this then, and every Member of this body who was serving in 2016 voted for JASTA. It passed twice, 100 to 0.

JASTA maintains strong bipartisan support today. My bill with Senator MENENDEZ to make technical corrections has that same strong bipartisan support. President Biden and his administration need to make a decision, is he in camp 1 or camp 2—a foreign government that is accused of helping carry out the deadliest attack on American soil or the thousands of Americans and families who lost everything on 9/11? It is embarrassing that this is even a question because the correct choice is so obvious.

Earlier this month, the families of the 9/11 victims sent a letter urging Congress to pass this legislation to, as they wrote, “fulfill Congress’ promise to the American People.” That letter had more than 4,000 signatures.

I want to thank two women, in particular, who have been fierce advocates of this legislation: Terry Strada and Angela Mistrulli. They both lost loved ones on 9/11, and they have made it their mission in life to ensure that victims of terrorism can finally have their day in court. I know they will not stop fighting until they get justice, and it has been an honor to stand alongside them and hold sponsors of terrorism accountable.

I am disappointed that the Senate was not able to pass this bill ahead of the anniversary of September 11, but that doesn't mean the urgency has gone away.

The majority leader, despite our differences on other things like the appropriations process—the majority leader was my partner on JASTA several years ago, and he is an original cosponsor of the legislation that I am talking about today that would make these critical technical fixes. I know he is committed to passing this legislation, and I hope he will put this bill on the floor soon so we can deliver on the promise Congress made to the 9/11 families and to the American people.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mrs. BLACKBURN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. HIRONO). Without objection, it is so ordered.

#### 76TH ANNIVERSARY OF THE UNITED STATES AIR FORCE

Mrs. BLACKBURN. Madam President, before I begin my remarks today, I want to mention that it is the 76th anniversary of the U.S. Air Force.

On behalf of all Tennesseans, I want to recognize the brave men and women who are serving at Arnold Air Force Base, our Air National Guard members, and the Air Force veterans who call Tennessee home. We thank them for their service.

#### ARTIFICIAL INTELLIGENCE FORUM

Madam President, last week, the majority leader hosted a forum on arti-

cial intelligence. That meeting really complemented the hearings that we have been having on this issue and, indeed, two hearings—one in the Commerce Committee and one in the Judiciary Committee—that we held last week. It is vital that we develop an understanding of what it is going to take to put the guardrails in place for AI. We are going to need to continue regular discussions between policymakers and the industry.

We have seen this model work in our favor. In 2019 and 2020, I led the Judiciary Committee's Tech Task Force. This brought experts to the table so that we on the Judiciary Committee could sit down with them, talk with them, learn more about how their technology worked and the dangers that it may pose. We did this with several of our emerging technology sectors. These discussions really yielded great results, and the body became more engaged on technology issues.

But we must stay focused and remember that AI raises the same concerns that plague other technological innovations. I was disappointed with how little the executives who participated in last week's forum had to say about data privacy because, in our committee hearings and with those witnesses, they have engaged on that issue. They have talked about how we need to have that Federal privacy law before we move forward with quantum computing, before we have more utilization of blockchain, and, of course, before we move forward with AI.

We have to remember, when you are online, when you are on an open-source platform—you and your data—you are the product. It is virtually impossible to talk about new technology without also talking about how to protect a customer's data. I like to call that the “virtual you.” How do you protect yourself and your information online?

For an entire decade, I have called for comprehensive data privacy legislation. I brought it up again in last week's Commerce hearing. Many of my colleagues agreed: This is something we cannot continue to ignore. So I would ask them to stay focused on that.

We heard the same thing from our witnesses. You cannot ignore online privacy. You are going to have to deal with this issue.

Artificial intelligence is the most powerful technological innovation we have seen since the inception of the internet, and it is already taking over many of the digital systems that we use every single day. Those systems depend on enormous amounts of data to function. If we don't protect our data online and reinject control over how these systems exploit our data, we are going to lose the ability to do so.

Think about this because AI systems have to be trained. They are trained on your data.

Let's take, for instance, what happens with an entertainer. Let's say you are a singer-songwriter out of Tennessee. Let's say that you have written

a hit. Let's say that an AI system, such as Jukebox, which is there on GPT—let's say you are going to train that system to sound like one of our Nashville hit makers. Then that means you are going to use their name, their image, their likeness, and their voice. It is a concept called voice cloning, and it is something we should be paying attention to.

Is there good that can come through artificial intelligence? Of course, there is. Think about what can happen as you are using it for predictive diagnoses in medicine, as you are using it for predictive disease analysis in medicine. Think about how you can use it for remote surgeries. There are good uses—the same thing for logistics, the same thing for manufacturing—all of which we see in our State. But there is also harm that can come for entertainers, for singers, for songwriters, for authors, for publishers. We need to realize that there can be good, but there also can be harm.

We also know that regimes that are hostile to the United States are doing everything that they can right this minute to exploit that technology, another of the adverse uses of artificial intelligence.

Here is an example. China has long used social media platforms like TikTok to push propaganda in the United States. Now, the Chinese Communist Party—the dear old CCP—they are at it again, using generative models to make these campaigns even more convincing. And it is not just those of us in Congress who see this. Microsoft recently released a report showing us exactly how the Chinese Communist Party is doing it.

We also know that authoritarian regimes will use AI to enhance their surveillance capabilities. The CCP, again, is already doing this. They are using it to surveil the Uighurs, tracking them. They are doing the same with the Tibetans and the Mongolians.

Then you look at Iran. They are using this to track and follow and use facial recognition to identify women, making certain that they are properly dressed and wearing that hijab in public. If they are willing to weaponize it against their own people—think about it. They have weaponized this technology. They are tracking and following and monitoring and surveilling individuals in their daily lives. If they are doing it to them, of course, they are going to do it to us.

Before we lead on AI, the United States must be technologically superior, but even the tech execs who came to Capitol Hill last week admit that there is a role for Congress to play in addressing privacy, national security, and other concerns. U.S. regulations must not hurt the ability of U.S. companies to dominate, but the lack of any governing standards can be just as damaging.

For example, because the United States doesn't have a data privacy law, we have fallen behind our counterparts

in the European Union on AI regulation. Back in February, Commissioner Vestager described for me, in a meeting that we had, how the GDPR has allowed the EU to move forward on AI.

The difficulty of installing guardrails while still encouraging freedom and innovation is not unique to AI. We have done this in the past, and we are going to need to do it again so that we retain that superiority in artificial intelligence and quantum computing.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to resume consideration of the following nomination, which the clerk will report.

The legislative clerk read the nomination of Vernon D. Oliver, of Connecticut, to be United States District Judge for the District of Connecticut.

The PRESIDING OFFICER. The Senator from Connecticut.

#### NOMINATION OF VERNON D. OLIVER

Mr. BLUMENTHAL. Madam President, I am very pleased and proud to speak to my colleagues today about Vernon Oliver, whose nomination is before us. We will vote on it shortly. I anticipate that he will be approved, and I hope it will be with bipartisan support because Vernon Oliver represents exactly the kind of jurist, lawyer, public servant whom we want on the Federal bench.

Judges on our Federal trial courts are often the face and voice of justice. All too often, litigants are there for justice, and it is the end of the road for them one way or the other because they don't have the resources to appeal to the courts of appeal, which sit in other States, far away often, requiring expenditure of resources. So that district judge sitting in the court where, often, they live is the person who represents justice—the face and voice of justice—for them.

Vernon Oliver is exactly the kind of person who will be trusted to give justice. He grew up in Bridgeport, with not a lot in his home in the way of financial resources. He worked hard, went to the University of Connecticut for his B.A. and then for his J.D. The University of Connecticut prepared him for a life of public service, and that is what he has done, with a brief break for private practice and as a temporary assistant clerk for the Hartford Judicial District.

He joined the Connecticut Division of Criminal Justice, serving in the Office of the Chief State's Attorney, and then as a prosecutor in the Bristol Superior Court.

Then I had the great honor to hire Vernon Oliver to be an assistant attorney general. And I say I had the great honor because when I knew him first, when I met him, I knew he was the kind of person who would be a really superior, extraordinary assistant attorney general.

He went to work in the child protection unit, which essentially tries to protect children from abuse and neglect, tries to hold families together or reach some resolution when there is violence or other kind of dispute that divides them.

Here is what I learned about Vernon Oliver: He has a strong mind, he has a big heart, and he has a passion for justice. He handled dozens, hundreds, thousands of those cases over the time that he served as an assistant attorney general, and each one of them required him to focus his mind and his heart and that passion for justice. He took every one of them seriously, the same seriousness for every one. They are often extremely demanding, not just intellectually but emotionally, and he stepped up. He showed the fiber of his character.

He was nominated in 2009 to be a judge on the Connecticut Superior Court. His nomination was done by a Republican Governor, Jodi Rell. Throughout his 15 years on the bench, he has presided over numerous civil and criminal cases, including approximately 30 bench trials, approximately 20 jury trials, and thousands of hearings.

You don't really need to listen to me about Vernon Oliver; you can go to his colleagues, the legal community of Connecticut. A group of Connecticut attorneys, many of whom have practiced in front of Judge Oliver, wrote that he has "an exceptionally keen legal mind" and "is committed to the fair and impartial administration of justice." The George W. Crawford Black Bar Association noted that "[Judge Oliver's] decisions are well reasoned and thoughtful" and that "[p]ut simply, he is a phenomenal judge."

He is a phenomenal person, not just an extraordinary judge. That is why Connecticut State Representative Christie Carpino, a Republican, wrote this to the committee, our committee, the Judiciary Committee: "[Judge Oliver's] breadth of knowledge in both criminal and civil law, as well as the diversity of his judicial assignments, makes him uniquely qualified to be appointed to the federal bench" and that "he has the demeanor one could only hope all jurists possess."

I take this time to talk to my colleagues because I think we need to be mindful of a standard, a standard of excellence on our Federal bench. I thank and commend President Biden for this



nomination because he has recognized the importance of diversity, as well as high performance intellectually, and he has enabled us, I think, to raise that standard.

Judge Oliver is a perfect example of that standard, and he is the gold standard we are seeking to achieve and I believe we are achieving when we confirm him and others who have those same qualities.

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. DUCKWORTH. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 265, Vernon D. Oliver, of Connecticut, to be United States District Judge for the District of Connecticut.

Charles E. Schumer, Richard Blumenthal, Margaret Wood Hassan, Mark Kelly, Jack Reed, John W. Hickenlooper, Elizabeth Warren, Tammy Duckworth, Jeff Merkley, Richard J. Durbin, Jeanne Shaheen, Benjamin L. Cardin, Mazie Hirono, Tina Smith, Edward J. Markey, Tim Kaine, Tammy Baldwin, Christopher Murphy.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Vernon D. Oliver, of Connecticut, to be United States District Judge for the District of Connecticut, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Arizona (Mr. KELLY) is necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the Senator from North Dakota (Mr. HOEVEN), the Senator from Kansas (Mr. MORAN), the Senator from Idaho (Mr. RISCH), and the Senator from South Carolina (Mr. SCOTT).

Further, if present and voting: the Senator from North Dakota (Mr. HOEVEN) would have voted "nay."

The yeas and nays resulted—yeas 54, nays 40, as follows:

[Rollcall Vote No. 229 Ex.]

#### YEAS—54

Baldwin	Hassan	Reed
Bennet	Heinrich	Rosen
Blumenthal	Hickenlooper	Sanders
Booker	Hirono	Schatz
Brown	Kaine	Schumer
Cantwell	King	Shaheen
Cardin	Klobuchar	Sinema
Carper	Lujan	Smith
Casey	Manchin	Stabenow
Collins	Markey	Tester
Coons	Menendez	Tillis
Cortez Masto	Merkley	Van Hollen
Duckworth	Murkowski	Warner
Durbin	Murphy	Warnock
Feinstein	Murray	Warren
Fetterman	Ossoff	Welch
Gillibrand	Padilla	Whitehouse
Graham	Peters	Wyden

#### NAYS—40

Blackburn	Fischer	Ricketts
Boozman	Grassley	Romney
Braun	Hagerty	Rounds
Britt	Hawley	Rubio
Budd	Hyde-Smith	Schmitt
Capito	Johnson	Scott (FL)
Cassidy	Kennedy	Sullivan
Cornyn	Lankford	Thune
Cotton	Lee	Tuberville
Cramer	Lummis	Vance
Crapo	Marshall	Wicker
Cruz	McConnell	Young
Daines	Mullin	
Ernst	Paul	

#### NOT VOTING—6

Barrasso	Kelly	Risch
Hoeven	Moran	Scott (SC)

The PRESIDING OFFICER (Mr. HEINRICH). On this vote, the yeas are 54, the nays are 40.

The motion is agreed to.

The PRESIDING OFFICER (Ms. SMITH). The majority leader.

### LEGISLATIVE SESSION

#### MORNING BUSINESS

Mr. SCHUMER. Madam President, I ask unanimous consent that the Senate proceed to legislative session and be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

#### RECOGNIZING WW HOMESTEAD DAIRY

•Ms. ERNST. Madam President, as ranking member of the Senate Committee on Small Business and Entrepreneurship, each week I recognize an outstanding Iowa small business that exemplifies the American entrepreneurial spirit. This week, it is my privilege to recognize WW Homestead Dairy of Waukon, IA, as the Senate Small Business of the Week.

Founded by Tom and Paul Weighner and Tom Walleser in 2011, WW Homestead Dairy is a creamery that features a retail shop in Waukon, IA. With over 90 years of dairy industry experience between the three founders, WW Homestead Dairy offers nonhomogenized milk, butter, cheese curds, and block cheddar cheese. The cheese curds are available in nine flavors and are made, along with the block cheddar cheese,

by creamery manager Bruce Snitker. For ice cream options, they offer over 30 flavors with 16 dipping options. WW Homestead also has a rotating menu of seasonal ice cream flavors, and the ice cream is made fresh once a week.

WW Homestead Dairy supports the Northeast Iowa community. In the past, they have hosted a chili cook-off to benefit vocational education training at Waukon High School and coordinated the Cheese Curds for Schools fundraiser. They also host a "Drive-In Moo-vie" night during the summer and the annual Corn Days Car Show. In 2023, the Corn Days Car Show celebrated its 10th anniversary, and WW Homestead Dairy celebrated its 12th business anniversary.

WW Homestead Dairy's dairy products have also been recognized, with their cheese curds sweeping the top three prizes at the 2022 Iowa Quality Dairy Products competition. Their best-of-show ranch peppercorn, second-place grilled steak and onion, and the third-place white cheddar cheese curds were all on display at the State fair. In the same competition, they also took home best of show" and second place in the Cow Cheese category with their Chipotle Morita cheddar and medium cheddar respectively. Finally, in 2021, at the World Dairy Expo, their chocolate milk tied for second in the skim chocolate milk class.

WW Homestead Dairy's commitment to providing high-quality dairy products in Waukon, IA, is clear. I want to congratulate Tom and Paul Weighner, Tom Walleser, and the entire team at WW Homestead Dairy for their dedication to the Waukon community. I look forward to seeing their continued growth and success in Iowa.●

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mrs. Stringer, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the Committee on The Judiciary.

(The messages received today are printed at the end of the Senate proceedings.)

#### MESSAGE FROM THE HOUSE

At 3:26 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1435. An act to amend the Clean Air Act to prevent the elimination of the sale of internal combustion engines.

H.R. 1450. An act to amend the Agricultural Act of 2014 to modify the treatment of

revenue from timber sale contracts and certain payments made by counties to the Secretary of Agriculture and the Secretary of the Interior under good neighbor agreements, and for other purposes.

#### MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1435. An act to amend the Clean Air Act to prevent the elimination of the sale of internal combustion engines; to the Committee on Environment and Public Works.

H.R. 1450. An act to amend the Agricultural Act of 2014 to modify the treatment of revenue from timber sale contracts and certain payments made by counties to the Secretary of Agriculture and the Secretary of the Interior under good neighbor agreements, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

#### ENROLLED JOINT RESOLUTIONS PRESENTED

The Secretary of the Senate reported that on September 14, 2023, she had presented to the President of the United States the following enrolled joint resolutions:

S.J. Res. 9. Joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the United States Fish and Wildlife Service relating to “Endangered and Threatened Wildlife and Plants; Lesser Prairie-Chicken; Threatened Status With Section 4(d) Rule for the Northern Distinct Population Segment and Endangered Status for the Southern Distinct Population Segment”.

S.J. Res. 24. Joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the United States Fish and Wildlife Service relating to “Endangered and Threatened Wildlife and Plants; Endangered Species Status for Northern Long-Eared Bat”.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-2126. A communication from the Branch Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Guidance on Section 603 of the SECURE 2.0 Act with Respect to Catch-Up Contributions” (Notice 2023-62) received in the Office of the President of the Senate on September 6, 2023; to the Committee on Finance.

EC-2127. A communication from the Branch Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Notice: Section 5000D Excise Tax on Sales of Designated Drugs; Reporting and Payment of the Tax” (Notice 2023-52) received in the Office of the President of the Senate on September 6, 2023; to the Committee on Finance.

EC-2128. A communication from the Branch Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pur-

suant to law, the report of a rule entitled “Guidance on Requirements for Home Energy Audits for Purposes of the Energy Efficient Home Improvement Credit under Section 25C” (Notice 2023-59) received in the Office of the President of the Senate on September 12, 2023; to the Committee on Finance.

EC-2129. A communication from the Branch Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Federal Income Tax Consequences of Certain State Payments” (Notice 2023-56) received in the Office of the President of the Senate on September 13, 2023; to the Committee on Finance.

EC-2130. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Medicare Program; Contract Year 2024 Policy and Technical Changes to the Medicare Advantage Program, Medicare Prescription Drug Benefit Program, Medicare Cost Plan Program, and Programs of All-Inclusive Care for the Elderly” (RIN0938-AU96) received during adjournment of the Senate in the Office of the President of the Senate on August 23, 2023; to the Committee on Finance.

EC-2131. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Medicare Program and CHIP; Mandatory Medicaid and Children’s Health Insurance Program (CHIP) Core Set Reporting” (RIN0938-AU52) received in the Office of the President of the Senate on September 6, 2023; to the Committee on Finance.

EC-2132. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Medicare Program; Prospective Payment System and Consolidated Billing for Skilled Nursing Facilities; Updates to the Quality Reporting Program and Value-Based Purchasing Program for Federal Fiscal Year 2024” (RIN0938-AU96) received during adjournment of the Senate in the Office of the President of the Senate on August 23, 2023; to the Committee on Finance.

EC-2133. A communication from the Branch Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Recapture of Certain Excess Employment Tax Credits under COVID-19 Legislation” (RIN1545-BQ08) received during adjournment of the Senate in the Office of the President of the Senate on August 23, 2023; to the Committee on Finance.

EC-2134. A communication from the Branch Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Low-Income Communities Bonus Credit Program” (RIN1545-BQ81) received in the Office of the President of the Senate on September 12, 2023; to the Committee on Finance.

EC-2135. A communication from the Branch Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Revenue Procedure 2023-26: Fast-Track Processing of Certain Letter Rulings” (Rev. Proc. 2023-26) received during adjournment of the Senate in the Office of the President of the Senate on August 23, 2023; to the Committee on Finance.

EC-2136. A communication from the Branch Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Revenue Procedure on the Low-Income Communities Bonus Credit Program” (Rev. Proc. 2023-27) received in the Office of the President of the Senate on September 12, 2023; to the Committee on Finance.

EC-2137. A communication from the Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant General Counsel (Treasury)/Chief Counsel, Internal Revenue Service, Department of the Treasury, received during adjournment of the Senate in the Office of the President of the Senate on September 6, 2023; to the Committee on Finance.

EC-2138. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled “FY 2020 Annual Report to Congress on the Child Support Program”; to the Committee on Finance.

EC-2139. A communication from the Chairman of the United States International Trade Commission, transmitting, pursuant to law, a report entitled “Large Residential Washers: Evaluation of the Effectiveness of Import Relief”; to the Committee on Finance.

#### PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-49. A joint resolution adopted by the Legislature of the State of California requesting the United States Congress to enact, and the President of the United States to sign, legislation that would repeal the Governmental Pension Offset and the Windfall Elimination Provision from the Social Security Act; to the Committee on Finance.

#### SENATE JOINT RESOLUTION NO. 1

Whereas, Two federal Social Security Administration laws, the Windfall Elimination Provision and the Government Pension Offset, passed by Congress more than 30 years ago, without statistical analysis, diminish or eliminate the fully earned Social Security benefits of large numbers of public service employees in California; and

Whereas, These provisions affect workers who have been employed in a government position that is not coordinated with the Social Security program, such as California public school teachers who have not been able to receive Social Security credits since 1965; and

Whereas, Most peace officers, including the California Highway Patrol, firefighters, and many other public servants working for cities and special districts are not covered by Social Security, making them subject to these provisions; and

Whereas, In California, more than 375,000 retirees have had their Social Security benefits diminished or completely eliminated by these laws; and

Whereas, Effective government requires highly qualified and motivated personnel, and California governmental agencies need to compete to recruit and retain outstanding employees, including hiring up to 19,700 teachers by the 2025-26 school year; and

Whereas, The recruitment and retention of qualified individuals reentering the workforce is impeded by these two provisions, which reduce or eliminate the Social Security retirement benefits either earned by

workers, themselves, or received through dependent status; and

Whereas, The Government Pension Offset severely cuts, and usually eliminates, all spousal and survivor benefits that were earned from what is deemed by the State of California to be community property income; and

Whereas, The Government Pension Offset requires that a recipient of benefits report any yearly cost-of-living increase in the recipient's public pension, so that the recipient's Social Security benefits may be reduced by two-thirds of that amount; and

Whereas, The Windfall Elimination Provision cuts earned Social Security benefits from work that is separate from the work for which the individual earned a pension from a governmental entity; and

Whereas, The Windfall Elimination Provision subverts the purpose of Social Security retirement benefits by eliminating the formula that reimburses low-income workers at a higher rate than high-income workers, causing severe hardships for those who have not had high-paying public service; and

Whereas, New public sector workers were not notified they would be subject to these unjust penalties until 2005, which means that thousands of workers had no notification of them until they applied for Social Security benefits; now, therefore, be it

*Resolved by the Senate and the Assembly of the State of California, jointly,* That the Legislature requests that the Congress of the United States enact legislation to repeal the Government Pension Offset and the Windfall Elimination Provision from the Social Security Act, and further requests that President Joseph Biden sign that legislation; and be it further

*Resolved,* That the Secretary of the Senate transmit copies of this resolution to the President and the Vice President of the United States, to the Speaker of the House of Representatives, to the Majority Leader of the Senate, to each Senator and Representative from California in the Congress of the United States, and to the author for appropriate distribution.

POM-50. A resolution adopted by the House of Representatives of the State of Hawaii urging the United States Congress to adopt national carbon fee and dividend legislation; to the Committee on Finance.

#### HOUSE RESOLUTION NO. 125

Whereas, United Nations Secretary General Antonio Guterres recently said, "Greenhouse gas emissions keep growing, global temperatures keep rising, and our planet is fast approaching tipping points that will make climate chaos irreversible. We are on a highway to climate hell with our foot on the accelerator"; and

Whereas, carbon dioxide is a major greenhouse gas and its concentration in the atmosphere has been increasing at progressively rapid rate for more than sixty years, as shown by measurements taken at observatories on Mauna Loa and Mauna Kea, and now registers at more than four hundred twenty parts per million; which is fifty percent higher than before the Industrial Revolution; and

Whereas, many climate change impacts are anticipated for the Hawaiian Islands, including increases in ocean and air temperatures, sea level rise, droughts, severe weather patterns, ocean acidification, and more frequent and severe wildfires; and

Whereas, the Intergovernmental Panel on Climate Change stated in the most recent report of its mitigation working group that any pathway to limit warming to two degrees Celsius would have to "involve rapid and deep and in most cases immediate green-

house gas emissions reductions in all sectors"; and

Whereas, the United States needs powerful new policies to meet its greenhouse gas emission reduction goals established in the 2015 Paris Climate Agreement; and

Whereas, imposing a tax on the burning of fossil fuels and returning the revenues to households to spend as they see fit, a carbon-pricing policy commonly known as carbon fee and dividend, is an effective and equitable way to substantially reduce greenhouse gas emissions; and

Whereas, carbon fee and dividend is supported by more than thirty-six hundred economists, including twenty-eight Nobel Laureates and fifteen former chairs of the Council of Economic Advisers, who signed a statement that begins, "A carbon tax offers the most cost-effective lever to reduce carbon emissions at the scale and speed that is necessary" and the statement continues, "to maximize the fairness and political viability of a rising tax, all the revenue should be returned directly to American citizens through equal lump-sum rebates"; and

Whereas, a national carbon fee and dividend program can include border adjustments, such as carbon-content-based tariffs on products imported from countries without comparable carbon pricing and refunds to our exporters of carbon taxes paid, to maintain the competitiveness of United States businesses in global markets; and

Whereas, major trading partners of the United States like Canada and the European Union have adopted meaningful carbon taxes and are now considering carbon border adjustments to level the playing field by ensuring that imports are subject to the same carbon pricing as local goods; and

Whereas, a national carbon fee and dividend program can be implemented quickly and efficiently, and respond to the urgency of the climate crises, because the federal government already has in place mechanisms, such as the Internal Revenue Service, needed to implement and enforce the tax, and already collects taxes from fossil fuel producers and importers; and

Whereas, a national carbon fee and dividend program would make the United States a leader in mitigating climate change and the advancing of clean energy technologies in the 21st century, and would incentivize other countries to enact similar carbon pricing policies, thereby reducing global greenhouse gas emissions without the need for complex international agreements; now, therefore, be it

*Resolved,* by the House of Representatives of the Thirty-second Legislature of the State of Hawaii, Regular Session of 2023, that the United States Congress is urged to pass national carbon fee and dividend legislation; and be it further

*Resolved,* That certified copies of this Resolution be transmitted to the President and Vice-President of the United States, Speaker of the United States House of Representatives, Majority Leader of the United States Senate, and members of Hawaii's congressional delegation.

POM-51. A concurrent resolution adopted by the Legislature of the State of Louisiana urging and requesting the President of the United States to reconsider the signed agreement that facilitates growth of certain aquaculture exports from Ecuador to the United States; to the Committee on Finance.

#### HOUSE CONCURRENT RESOLUTION NO. 29

Whereas, on August 18, 2022, the United States Food and Drug Administration (FDA) signed a confidentiality commitment with Ecuador's vice minister of Aquaculture and Fisheries (VAP) within the Ministry of Pro-

duction, Foreign Trade, Investments and Fisheries of the Republic of Ecuador; and

Whereas, the purpose of the confidentiality commitment or agreement is to allow for the exchange of confidential information, including inspection of records, draft rulemaking and guidance, and other nonpublic documents; and

Whereas, the agreement with Ecuador is designed to ensure the safety of shrimp imported to the United States and offers guarantees for aquaculture exports to the United States; and

Whereas, according to an article from the seafood industry's trade publication Seafood Source, in the first six months of 2022, Ecuador exported at least one billion one hundred million pounds of shrimp abroad at that time, with the United States being its second-biggest market; and

Whereas, according to the National Oceanic and Atmospheric Administration, in 2020, the United States imported approximately one billion six hundred million pounds of shrimp, an increase of up to seven and one half percent from 2019; and

Whereas, in 2022, Ecuador was the second leading source of shrimp exports to the United States, after India, exporting four hundred forty-one million pounds of shrimp to the United States, according to Seafood Source; and

Whereas, according to the 2021-2022 annual report from the Louisiana Department of Wildlife and Fisheries, shrimp are the state's most valuable fishery; and

Whereas, the average real dockside value of Louisiana shrimp fell from one dollar and ninety-three cents per pound in 2000 to one dollar and three cents per pound in 2018; and

Whereas, this unfair competition allows foreign competitors to flood the United States market, devastating local industries. Therefore, be it

*Resolved,* That the Legislature of Louisiana does hereby urge and request the president of the United States to reconsider an agreement signed with Ecuador that facilitates growth of certain aquaculture exports from Ecuador to the United States; and be it further

*Resolved,* That a copy of this Resolution be transmitted to the White House and to the presiding officers of the Senate and the House of Representatives of the Congress of the United States and to each member of the Louisiana congressional delegation.

POM-52. A concurrent resolution adopted by the Legislature of the State of Louisiana urging the United States Congress to take such actions as are necessary to pass legislation allowing taxpayers to establish tax-advantaged catastrophe savings accounts for disaster-related expenses; to the Committee on Finance.

#### HOUSE CONCURRENT RESOLUTION NO. 55

Whereas, three U.S. states—Alabama, Mississippi, and South Carolina—currently provide within their respective tax codes for catastrophe savings accounts; and

Whereas, these accounts are regular savings or money market accounts that taxpayers designate with their financial institutions as catastrophe savings accounts and to which limited amounts of tax-deductible contributions may be made; and

Whereas, the laws of the three states that provide for such accounts all stipulate that a taxpayer may establish only one catastrophe savings account and shall specify that the purpose of the account is to cover the amount of insurance deductibles and other uninsured portions of risks of loss from floods, hurricanes, or other catastrophic windstorm events; and

Whereas, funds may be withdrawn from these accounts tax-free if used to pay disaster-related expenses defined in law as

“qualified catastrophe expenses”; if funds are withdrawn from these accounts for purposes other than paying qualified catastrophe expenses, then the amounts withdrawn are taxed as income; and

Whereas, the function of catastrophe savings accounts with respect to disaster-related expenses is similar to that of health savings accounts, long established in the Internal Revenue Code (26 U.S.C. 223), for health-related expenses; and

Whereas, with the frequency and destructive force of weather-related disasters increasing nationwide, the need for some form of catastrophe or emergency savings account program for all Americans has become more pronounced; and

Whereas, legislation providing exclusively for the type of savings account discussed in this Resolution was introduced in the One Hundred Fifteenth United States Congress (H.R. 2818) and legislation including a catastrophe savings account component has been introduced in the current congress (One Hundred Eighteenth United States Congress, H.R. 312); Therefore, be it,

*Resolved*, That the Legislature of Louisiana does hereby memorialize the United States Congress to take such actions as are necessary to pass legislation allowing taxpayers to establish tax-advantaged catastrophe savings accounts for disaster-related expenses; and be it further

*Resolved*, That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM-53. A concurrent resolution adopted by the Legislature of the State of Louisiana urging the United States Congress to take such actions as are necessary to ban the import of shrimp and crawfish from outside the United States; to the Committee on Finance.

#### HOUSE CONCURRENT RESOLUTION NO. 113

To memorialize the United States Congress to take such actions as are necessary to ban the import of shrimp and crawfish from outside the United States.

Whereas, according to the National Oceanic and Atmospheric Administration, in 2019 the United States imported six billion pounds of edible seafood products, including one and one half billion pounds of shrimp, an increase of nearly six and one half million pounds more than the shrimp imported in 2018; and

Whereas, the 2019 shrimp imports alone, valued at six billion dollars, accounted for twenty-seven percent of the total value of imported seafood that year, which reached twenty-two billion dollars; and

Whereas, it is estimated that over half of the imported seafood consumed in the United States is from aquaculture, or seafood farming, rather than wild-caught; and

Whereas, the United States Food and Drug Administration (FDA) is responsible for the safety of all fish and fishery products entering the United States and sold in Louisiana; and

Whereas, in 2011 the FDA was only inspecting two percent of the seafood imported into the United States, the last year for which data regarding the percentage of imports inspected is available; and

Whereas, because imported seafood is not held to the same standards as domestic seafood, domestic fishing industries are put at a distinct and significant disadvantage commercially; and

Whereas, because labor costs are much lower overseas, peeled crawfish meat is much cheaper when imported, resulting in many entities purchasing from other countries instead of supporting the local market; and

Whereas, seafood imported from overseas is not always safe to consume; and

Whereas, according to the Louisiana Department of Wildlife and Fisheries, the average value of Louisiana shrimp fell from three dollars and eighty cents per pound in 1980 to one dollar fifty cents per pound in 2017; and

Whereas, unfair competition allows foreign competitors to flood the United States market with seafood harvested under intensive farming practices, while devastating local industries and coastal communities built around them; and

Whereas, domestically produced shrimp and crawfish offer the best option for the health and safety of United States consumers. Therefore, be it

*Resolved*, That the Legislature of Louisiana does hereby memorialize the United States Congress to take such actions as are necessary to ban the import of shrimp and crawfish from outside the United States. Be it further

*Resolved*, That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM-54. A concurrent resolution adopted by the Legislature of the State of Louisiana urging the United States Congress to take such actions as are necessary to impose a quota or tariff on imported shrimp, crab meat, and crawfish and enact a buy plan for domestic shrimp, crab meat, and crawfish directly from domestic commercial fishermen; to the Committee on Finance.

#### HOUSE CONCURRENT RESOLUTION NO. 109

Whereas, the domestic fishing industry has faced severe hardships such as Hurricane Ida and other natural disasters, repeated openings of the Bonnet Carre Spillway, unfair trade practices, illegal chemicals, rising inflation, gas prices, and supply chain issues; and

Whereas, in October of 2022, United States Congressman Garret Graves announced that the United States Department of Agriculture (USDA) purchased up to twenty five million dollars of Gulf of Mexico and South Atlantic wild caught shrimp; and

Whereas, Section 32 of the Agricultural Adjustment Act authorizes USDA to purchase domestic shrimp; and

Whereas, purchases such as this will help provide relief to Louisiana's shrimp industry; and

Whereas, Louisiana's seafood industry is the largest supplier in the country and the main economic driver in coastal areas; and

Whereas, more relief is necessary for the Louisiana seafood industry to compete with foreign importers; and

Whereas, strategies to ensure that domestic commercial fishermen are able to sell their products are necessary for the continued success of the Louisiana seafood industry; and

Whereas, plans to buy shrimp directly from domestic commercial shrimp fishermen are of vital importance to ensure the success of coastal communities that rely heavily on this industry; Therefore, be it

*Resolved*, That the Legislature of Louisiana does hereby memorialize the United States Congress to take such actions as are necessary to impose a quota or tariff on imported shrimp, crab meat, and crawfish and enact a buy plan for domestic shrimp, crab meat, and crawfish directly from domestic commercial fishermen; and be it further

*Resolved*, That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America

and to each member of the Louisiana congressional delegation.

### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Ms. CANTWELL, from the Committee on Commerce, Science, and Transportation, with amendments:

S. 1648. A bill to facilitate access to the electromagnetic spectrum for commercial space launches and commercial space reentries, and for other purposes.

### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. HICKENLOOPER:

S. 2827. A bill to require the Federal Energy Regulatory Commission to establish minimum interregional transfer capabilities, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. CORNYN (for himself, Ms.

SINEMA, and Mr. TILLIS):

S. 2828. A bill to amend the Elementary and Secondary Education Act of 1965 to clarify that the prohibition on the use of Federal education funds for certain weapons does not apply to the use of such weapons in certain programs for activities such as archery, hunting, other shooting sports, or culinary arts; to the Committee on Health, Education, Labor, and Pensions.

By Ms. STABENOW (for herself, Mr. CRAPO, Mr. KING, Mrs. HYDE-SMITH, Ms. SMITH, Ms. MURKOWSKI, Mrs. GILLIBRAND, Mr. MORAN, Ms. KLOBUCHAR, Mr. BOOZMAN, Mrs. FEINSTEIN, Ms. COLLINS, Mrs. MURRAY, and Mr. RISCH):

S. 2829. A bill to amend the Internal Revenue Code of 1986 to provide for an exclusion for assistance provided to participants in certain veterinary student loan repayment or forgiveness programs; to the Committee on Finance.

By Mr. CASSIDY (for himself and Mr. BROWN):

S. 2830. A bill to update and improve vocational data and eligibility criteria for the Social Security Disability Program, and for other purposes; to the Committee on Finance.

By Mr. BLUMENTHAL (for himself, Ms. WARREN, and Mr. WELCH):

S. 2831. A bill to prohibit the non-consensual release of claims by States, municipalities, federally recognized Tribes, or the United States against non-debtors, and for other purposes; to the Committee on the Judiciary.

By Mr. WARNOCK (for himself and Mr. BRAUN):

S. 2832. A bill to amend the Head Start Act to permit some teachers in Early Head Start programs to teach while earning a child development associate credential; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WYDEN (for himself and Mr. BOOKER):

S. 2833. A bill to prohibit targeted advertising by advertisers and advertising facilitators, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BLUMENTHAL:

S. 2834. A bill to combat toxic indoor mold, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SULLIVAN:

S. 2835. A bill making continuing appropriations for military pay in the event of a Government shutdown; to the Committee on Appropriations.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Ms. DUCKWORTH (for herself, Mr. PADILLA, and Mrs. FEINSTEIN):

S. Res. 346. A resolution honoring the Thai-American garment workers who opened the country's eyes to sweatshop conditions in the United States and, against all odds, expanded rights for immigrant workers and survivors of human trafficking while holding corporations responsible for the conditions in which their clothes are made; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MENENDEZ (for himself, Mr. CORNYN, Mr. PADILLA, Mr. KAINE, Mr. CASEY, Ms. KLOBUCHAR, Mr. HEINRICH, Ms. ROSEN, Ms. CANTWELL, Mr. DURBIN, Mr. CARDIN, Mr. VAN HOLLEN, Ms. CORTEZ MASTO, Mr. FETTERMAN, Mr. LUJÁN, Mr. BOOKER, Mrs. FEINSTEIN, Mr. KELLY, Mr. SANDERS, Mr. WYDEN, Mr. REED, Mr. WHITEHOUSE, Mr. BROWN, Ms. WARREN, Mr. HAGERTY, Mr. WARNOCK, Mr. CRUZ, Mrs. BLACKBURN, Mr. RUBIO, and Mr. LANKFORD):

S. Res. 347. A resolution designating the week beginning on September 11, 2023, as "National Hispanic-Serving Institutions Week"; considered and agreed to.

By Mrs. HYDE-SMITH (for herself and Mr. WARNOCK):

S. Res. 348. A resolution designating the week of September 24 through September 30, 2023, as "Gold Star Families Remembrance Week"; considered and agreed to.

#### ADDITIONAL COSPONSORS

S. 135

At the request of Mr. LANKFORD, the names of the Senator from Iowa (Mr. GRASSLEY) and the Senator from Wyoming (Ms. LUMMIS) were added as cosponsors of S. 135, a bill to provide for a period of continuing appropriations in the event of a lapse in appropriations under the normal appropriations process, and establish procedures and consequences in the event of a failure to enact appropriations.

S. 514

At the request of Mr. BLUMENTHAL, the names of the Senator from Pennsylvania (Mr. FETTERMAN), the Senator from Michigan (Ms. STABENOW) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 514, a bill to award posthumously the Congressional Gold Medal to Constance Baker Motley, in recognition of her enduring contributions and service to the United States.

S. 596

At the request of Mr. KAINE, the names of the Senator from Wisconsin (Ms. BALDWIN) and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of S. 596, a bill to amend the Internal Revenue Code of 1986 to

make employers of spouses of military personnel eligible for the work opportunity credit.

S. 762

At the request of Mr. CASEY, the name of the Senator from Minnesota (Ms. SMITH) was added as a cosponsor of S. 762, a bill to amend title XIX of the Social Security Act to require coverage of, and expand access to, home and community-based services under the Medicaid program, to award grants for the creation, recruitment, training and education, retention, and advancement of the direct care workforce and to award grants to support family caregivers, and for other purposes.

S. 928

At the request of Mr. TESTER, the names of the Senator from Texas (Mr. CRUZ) and the Senator from Wisconsin (Ms. BALDWIN) were added as cosponsors of S. 928, a bill to require the Secretary of Veterans Affairs to prepare an annual report on suicide prevention, and for other purposes.

S. 1219

At the request of Mr. CASEY, the name of the Senator from New Mexico (Mr. LUJÁN) was added as a cosponsor of S. 1219, a bill to amend the Public Health Service Act to provide health equity for people with disabilities.

S. 1631

At the request of Mr. PETERS, the names of the Senator from West Virginia (Mrs. CAPITO), the Senator from Florida (Mr. RUBIO) and the Senator from New Hampshire (Ms. HASSAN) were added as cosponsors of S. 1631, a bill to enhance the authority granted to the Department of Homeland Security and Department of Justice with respect to unmanned aircraft systems and unmanned aircraft, and for other purposes.

S. 2085

At the request of Mr. CRAPO, the names of the Senator from Arizona (Mr. KELLY), the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from Pennsylvania (Mr. CASEY), the Senator from Pennsylvania (Mr. FETTERMAN) and the Senator from Maryland (Mr. VAN HOLLEN) were added as cosponsors of S. 2085, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of multi-cancer early detection screening tests.

S. 2224

At the request of Mr. BROWN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 2224, a bill to amend the Internal Revenue Code of 1986 to deny interest and depreciation deductions for taxpayers owning 50 or more single family properties.

S. 2231

At the request of Mr. MERKLEY, the names of the Senator from Ohio (Mr. VANCE) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 2231, a bill to amend title V of the Social Security Act to

support stillbirth prevention and research, and for other purposes.

S. 2242

At the request of Mr. CASEY, the name of the Senator from Pennsylvania (Mr. FETTERMAN) was added as a cosponsor of S. 2242, a bill to amend the Clean Air Act to require the Administrator of the Environmental Protection Agency to make available for sale renewable fuel credits, and for other purposes.

S. 2336

At the request of Mr. MENENDEZ, the name of the Senator from Nebraska (Mr. RICKETTS) was added as a cosponsor of S. 2336, a bill to address the threat from the development of Iran's ballistic missile program and the transfer or deployment of Iranian missiles and related goods and technology, including materials and equipment, and for other purposes.

S. 2365

At the request of Mr. RICKETTS, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 2365, a bill to amend the Food and Nutrition Act of 2008 to authorize funds for certain employment and training activities, and for other purposes.

S. 2407

At the request of Mr. CARPER, the names of the Senator from North Carolina (Mr. BUDD) and the Senator from North Dakota (Mr. HOEVEN) were added as cosponsors of S. 2407, a bill to amend title XVIII of the Social Security Act to provide for the coordination of programs to prevent and treat obesity, and for other purposes.

S. 2496

At the request of Mr. CARDIN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 2496, a bill to amend the National Housing Act to include information regarding VA home loans in the Informed Consumer Choice Disclosure required to be provided to prospective FHA borrowers.

S. 2581

At the request of Mr. CRAPO, the names of the Senator from California (Mrs. FEINSTEIN), the Senator from California (Mr. PADILLA), the Senator from Michigan (Ms. STABENOW), the Senator from Nevada (Ms. ROSEN), and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S. 2581, a bill to extend the Secure Rural Schools and Community Self-Determination Act of 2000.

S. 2713

At the request of Mr. CASEY, the name of the Senator from Vermont (Mr. WELCH) was added as a cosponsor of S. 2713, a bill to amend the Food and Nutrition Act of 2008 and the Emergency Food Assistance Act of 1983 to make commodities available for the Emergency Food Assistance Program, and for other purposes.

S. 2757

At the request of Mr. TESTER, the names of the Senator from Nevada (Ms.

ROSEN) and the Senator from North Dakota (Mr. CRAMER) were added as cosponsors of S. 2757, a bill to limit the Secretary of Veterans Affairs from modifying the rate of payment or reimbursement for transportation of veterans or other individuals via special modes of transportation under the laws administered by the Secretary, and for other purposes.

S. 2791

At the request of Mr. CRUZ, the names of the Senator from Mississippi (Mr. WICKER) and the Senator from Alaska (Ms. MURKOWSKI) were added as cosponsors of S. 2791, a bill to amend title 14, United States Code, to make appropriations for Coast Guard pay in the event an appropriations Act expires before the enactment of a new appropriations Act, and for other purposes.

S. 2801

At the request of Mrs. MURRAY, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 2801, a bill to improve the reproductive assistance provided by the Department of Defense and the Department of Veterans Affairs to certain members of the Armed Forces, veterans, and their spouses or partners, and for other purposes.

S. 2806

At the request of Mr. BRAUN, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 2806, a bill to repeal certain provisions relating to taxpayer subsidies for home electrification, and for other purposes.

S. 2807

At the request of Mr. MERKLEY, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 2807, a bill to require the Secretary of Commerce to establish and carry out a grant program to conserve, restore, and manage kelp forest ecosystems, and for other purposes.

S. 2817

At the request of Mrs. GILLIBRAND, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 2817, a bill to amend the Fair Labor Standards Act of 1938 to prohibit employers from paying employees in the garment industry by piece rate, to require manufacturers and contractors in the garment industry to register with the Department of Labor, and for other purposes.

S. 2820

At the request of Mr. LEE, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 2820, a bill to amend the Antiquities Act to increase congressional oversight with respect to the designation of national monuments, and for other purposes.

S. 2824

At the request of Mr. CRUZ, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 2824, a bill to secure the borders of the United States, and for other purposes.

S.J. RES. 32

At the request of Mr. KENNEDY, the name of the Senator from Utah (Mr.

ROMNEY) was added as a cosponsor of S.J. Res. 32, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Bureau of Consumer Financial Protection relating to "Small Business Lending Under the Equal Credit Opportunity Act (Regulation B)".

S.J. RES. 43

At the request of Mr. CASSIDY, the names of the Senator from South Carolina (Mr. GRAHAM) and the Senator from Missouri (Mr. SCHMITT) were added as cosponsors of S.J. Res. 43, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Education relating to "Improving Income Driven Repayment for the William D. Ford Federal Direct Loan Program and the Federal Family Education Loan (FFEL) Program".

S. CON. RES. 2

At the request of Mr. MENENDEZ, the name of the Senator from Pennsylvania (Mr. FETTERMAN) was added as a cosponsor of S. Con. Res. 2, a concurrent resolution commending the bravery, courage, and resolve of the women and men of Iran demonstrating in more than 133 cities and risking their safety to speak out against the Iranian regime's human rights abuses.

S. RES. 319

At the request of Mr. BROWN, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. Res. 319, a resolution declaring racism a public health crisis.

AMENDMENT NO. 1120

At the request of Mr. SCHATZ, the name of the Senator from Georgia (Mr. OSSOFF) was added as a cosponsor of amendment No. 1120 intended to be proposed to H.R. 4366, a bill making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes.

AMENDMENT NO. 1129

At the request of Mr. SCHATZ, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of amendment No. 1129 intended to be proposed to H.R. 4366, a bill making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes.

AMENDMENT NO. 1191

At the request of Mr. SCHATZ, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of amendment No. 1191 intended to be proposed to H.R. 4366, a bill making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes.

AMENDMENT NO. 1192

At the request of Mr. SCHATZ, the name of the Senator from New York

(Mrs. GILLIBRAND) was added as a cosponsor of amendment No. 1192 intended to be proposed to H.R. 4366, a bill making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes.

AMENDMENT NO. 1210

At the request of Mr. VANCE, the names of the Senator from Wyoming (Mr. BARRASSO), the Senator from Kansas (Mr. MARSHALL), the Senator from South Carolina (Mr. SCOTT), the Senator from Indiana (Mr. BRAUN), the Senator from Tennessee (Mrs. BLACKBURN), the Senator from Nebraska (Mr. RICKETTS), the Senator from Kansas (Mr. MORAN), the Senator from Montana (Mr. DAINES) and the Senator from North Carolina (Mr. TILLIS) were added as cosponsors of amendment No. 1210 intended to be proposed to H.R. 4366, a bill making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes.

## SUBMITTED RESOLUTIONS

SENATE RESOLUTION 346—HONORING THE THAI-AMERICAN GARMENT WORKERS WHO OPENED THE COUNTRY'S EYES TO SWEATSHOP CONDITIONS IN THE UNITED STATES AND, AGAINST ALL ODDS, EXPANDED RIGHTS FOR IMMIGRANT WORKERS AND SURVIVORS OF HUMAN TRAFFICKING WHILE HOLDING CORPORATIONS RESPONSIBLE FOR THE CONDITIONS IN WHICH THEIR CLOTHES ARE MADE

Ms. DUCKWORTH (for herself, Mr. PADILLA, and Mrs. FEINSTEIN) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 346

Whereas Thai garment workers were forced to work behind barbed wire and under armed guard in an apartment complex in El Monte, California, sewing garments for 16 to 18 hours a day, 7 days a week under the threat of harm to themselves and their families in Thailand;

Whereas the workers were trafficked into the United States, held against their will, had their passports taken from them, and were denied contact with the outside world until August 2, 1995, when a multiagency law enforcement raid exposed their conditions of involuntary servitude;

Whereas the workers were threatened with deportation until community advocates intervened and helped the workers find freedom, shelter, new jobs, and the chance to rebuild their lives in the United States;

Whereas the workers filed a landmark lawsuit against their captors and against the companies they were sewing for, which was the first Federal lawsuit of its kind, transformed the garment industry, and launched anti-sweatshop legislation and campaigns across the country and around the world that reverberate to this day;



Whereas advocates fought for the workers to stay in the United States and pioneered the use of S visas, in partnership with Federal prosecutors, which led to the creation of T and U visas to protect workers who serve as material witnesses to come forward and report abuse and exploitation without fear of immigration-based retaliation;

Whereas the workers have inspired countless individuals, and their story has been documented in books, an animated short, museums, including the National Museum of American History, and is taught in high school, college, and law school curricula;

Whereas the workers freed from the El Monte sweatshop went on to contribute in invaluable ways to the United States as activists, spokespersons, small business owners, health care professionals, service providers, and more; and

Whereas the workers are now inducted into the United States Department of Labor's Hall of Honor, taking their rightful place in the labor history of the United States for their courage, resilience, and groundbreaking efforts: Now, therefore, be it

*Resolved*, That the Senate—

(1) honors the Thai garment workers freed from the El Monte sweatshop for their courage, persistence, and resilience;

(2) recognizes the many legal, cultural, and policy changes that have resulted from the El Monte sweatshop case;

(3) recognizes the individuals that continue to fight against forced labor and human trafficking, for corporate accountability, and for an end to exploitative working conditions; and

(4) respectfully requests that the Secretary of the Senate transmit—

(A) an enrolled copy of this resolution to the Director of the National Museum of American History; and

(B) 5 copies of this resolution to the Secretary of Labor.

**SENATE RESOLUTION 347—DESIGNATING THE WEEK BEGINNING ON SEPTEMBER 11, 2023, AS “NATIONAL HISPANIC-SERVING INSTITUTIONS WEEK.”**

Mr. MENENDEZ (for himself, Mr. CORNYN, Mr. PADILLA, Mr. KAINE, Mr. CASEY, Ms. KLOBUCHAR, Mr. HEINRICH, Ms. ROSEN, Ms. CANTWELL, Mr. DURBIN, Mr. CARDIN, Mr. VAN HOLLEN, Ms. CORTUZ MASTO, Mr. FETTERMAN, Mr. LUJÁN, Mr. BOOKER, Mrs. FEINSTEIN, Mr. KELLY, Mr. SANDERS, Mr. WYDEN, Mr. REED, Mr. WHITEHOUSE, Mr. BROWN, Ms. WARREN, Mr. HAGERTY, Mr. WARNOCK, Mr. CRUZ, Mrs. BLACKBURN, Mr. RUBIO, and Mr. LANKFORD) submitted the following resolution; which was considered and agreed to:

S. RES. 347

Whereas Hispanic-Serving Institutions are degree-granting institutions that have a full-time equivalent undergraduate enrollment of at least 25 percent Hispanic students;

Whereas Hispanic-Serving Institutions play an important role in educating many low-income and underserved students and creating opportunities and increasing access to higher education for such students;

Whereas, in the 2021-2022 academic year, 572 Hispanic-Serving Institutions operated in the United States, the District of Columbia, and Puerto Rico, enrolling more than 5,000,000 students;

Whereas Hispanic-Serving Institutions are engines of economic mobility and a major contributor to the economic prosperity of the United States;

Whereas, Hispanic-Serving Institutions represent 19 percent of all institutions of higher education, yet serve 30.5 percent of all undergraduate students and 65.6 percent of all Hispanic undergraduate students;

Whereas Hispanic-Serving Institutions are located in 28 States, the District of Columbia, and Puerto Rico;

Whereas the number of Emerging Hispanic-Serving Institutions, defined as institutions that do not yet meet the threshold of 25 percent Hispanic full-time equivalent enrollment but serve a Hispanic student population of between 15 and 24.9 percent, stands at 400 institutions operating in 43 States and the District of Columbia;

Whereas Hispanic-Serving Institutions are actively involved in empowering and improving the communities in which the institutions are located;

Whereas Hispanic-Serving Institutions are leading efforts to increase Hispanic participation in science, technology, engineering, and mathematics (commonly known as “STEM”);

Whereas 7 of the top 10 institutions of higher education ranked by the Social Mobility Index were Hispanic-Serving Institutions;

Whereas celebrating the vast contributions of Hispanic-Serving Institutions strengthens the culture of the United States; and

Whereas the achievements and goals of Hispanic-Serving Institutions deserve national recognition: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes the achievements and goals of Hispanic-Serving Institutions across the United States, the District of Columbia, and Puerto Rico;

(2) designates the week beginning on September 11, 2023, as “National Hispanic-Serving Institutions Week”; and

(3) calls on the people of the United States and interested groups to observe the week with appropriate ceremonies, activities, and programs to demonstrate support for Hispanic-Serving Institutions in honor of Hispanic Heritage Month.

**SENATE RESOLUTION 348—DESIGNATING THE WEEK OF SEPTEMBER 24 THROUGH SEPTEMBER 30, 2023, AS “GOLD STAR FAMILIES REMEMBRANCE WEEK”**

Mrs. HYDE-SMITH (for herself and Mr. WARNOCK) submitted the following resolution; which was considered and agreed to:

S. RES. 348

Whereas the last Sunday in September—

(1) is designated as “Gold Star Mother’s Day” under section 111 of title 36, United States Code; and

(2) was first designated as “Gold Star Mother’s Day” under the Joint Resolution entitled “Joint Resolution designating the last Sunday in September as ‘Gold Star Mother’s Day’, and for other purposes”, approved June 23, 1936 (49 Stat. 1895);

Whereas there is no date dedicated to families affected by the loss of a loved one who died in service to the United States;

Whereas a gold star symbolizes a family member who died in the line of duty while serving in the Armed Forces;

Whereas the members and veterans of the Armed Forces, through their service, bear the burden of protecting the freedom of the people of the United States;

Whereas the selfless example of the service of the members and veterans of the Armed Forces, as well as the sacrifices made by the

families of those individuals, inspires all individuals in the United States to sacrifice and work diligently for the good of the United States; and

Whereas the sacrifices of the families of the fallen members of the Armed Forces and the families of veterans of the Armed Forces should never be forgotten: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates the week of September 24 through September 30, 2023, as “Gold Star Families Remembrance Week”;;

(2) honors and recognizes the sacrifices made by—

(A) the families of members of the Armed Forces who made the ultimate sacrifice in order to defend freedom and protect the United States; and

(B) the families of veterans of the Armed Forces; and

(3) encourages the people of the United States to observe Gold Star Families Remembrance Week by—

(A) performing acts of service and good will in their communities; and

(B) celebrating families in which loved ones made the ultimate sacrifice so that others could continue to enjoy life, liberty, and the pursuit of happiness.

**AMENDMENTS SUBMITTED AND PROPOSED**

SA 1227. Mr. LUJÁN (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed to amendment SA 1092 proposed by Mrs. MURRAY (for herself and Ms. COLLINS) to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table.

SA 1228. Mr. PADILLA submitted an amendment intended to be proposed to amendment SA 1092 proposed by Mrs. MURRAY (for herself and Ms. COLLINS) to the bill H.R. 4366, supra; which was ordered to lie on the table.

SA 1229. Ms. ROSEN (for herself, Mr. MORAN, and Ms. MURKOWSKI) submitted an amendment intended to be proposed to amendment SA 1092 proposed by Mrs. MURRAY (for herself and Ms. COLLINS) to the bill H.R. 4366, supra; which was ordered to lie on the table.

SA 1230. Mr. SCHUMER proposed an amendment to the bill H.R. 4366, supra.

SA 1231. Mr. PADILLA submitted an amendment intended to be proposed to amendment SA 1092 proposed by Mrs. MURRAY (for herself and Ms. COLLINS) to the bill H.R. 4366, supra; which was ordered to lie on the table.

SA 1232. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 1092 proposed by Mrs. MURRAY (for herself and Ms. COLLINS) to the bill H.R. 4366, supra; which was ordered to lie on the table.

SA 1233. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 1092 proposed by Mrs. MURRAY (for herself and Ms. COLLINS) to the bill H.R. 4366, supra; which was ordered to lie on the table.

SA 1234. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 1092 proposed by Mrs. MURRAY (for herself and Ms. COLLINS) to the bill H.R. 4366, supra; which was ordered to lie on the table.

SA 1235. Mr. WARNOCK submitted an amendment intended to be proposed by him to the bill H.R. 4366, supra; which was ordered to lie on the table.

SA 1236. Mr. WARNOCK submitted an amendment intended to be proposed by him to the bill H.R. 4366, *supra*; which was ordered to lie on the table.

SA 1237. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill H.R. 4366, *supra*; which was ordered to lie on the table.

SA 1238. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill H.R. 4366, *supra*; which was ordered to lie on the table.

SA 1239. Ms. ROSEN submitted an amendment intended to be proposed by her to the bill H.R. 4366, *supra*; which was ordered to lie on the table.

SA 1240. Mr. BOOKER (for himself and Mr. MURPHY) submitted an amendment intended to be proposed to amendment SA 1092 proposed by Mrs. MURRAY (for herself and Ms. COLLINS) to the bill H.R. 4366, *supra*; which was ordered to lie on the table.

SA 1241. Mr. CRAMER (for himself and Mr. MANCHIN) submitted an amendment intended to be proposed to amendment SA 1092 proposed by Mrs. MURRAY (for herself and Ms. COLLINS) to the bill H.R. 4366, *supra*; which was ordered to lie on the table.

### TEXT OF AMENDMENTS

**SA 1227.** Mr. LUJÁN (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed to amendment SA 1092 proposed by Mrs. MURRAY (for herself and Ms. COLLINS) to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the amendment, add the following:

#### **DIVISION D—NAVAJO-GALLUP WATER SUPPLY PROJECT AMENDMENTS ACT OF 2023**

##### **SEC. 101. SHORT TITLE.**

This division may be cited as the “Navajo-Gallup Water Supply Project Amendments Act of 2023”.

##### **SEC. 102. DEFINITIONS.**

Section 10302 of the Northwestern New Mexico Rural Water Projects Act (43 U.S.C. 407 note; Public Law 111–11) is amended—

(1) by striking paragraph (29);

(2) by redesignating paragraphs (12), (13), (14), (15), (16), (17), (18), (19), (20), (21), (22), (23), (24), (25), (26), (27), (28), and (30) as paragraphs (13), (14), (15), (16), (17), (18), (19), (20), (21), (22), (23), (24), (25), (27), (28), (30), (31), and (32), respectively;

(3) by inserting after paragraph (11) the following:

“(12) DEFERRED CONSTRUCTION FUND.—The term ‘Deferred Construction Fund’ means the Navajo Nation’s Navajo-Gallup Water Supply Project Deferred Construction Fund established by section 10602(i)(1)(A).”;

(4) in paragraph (14) (as so redesignated)—

(A) in the paragraph heading, by striking “DRAFT” and inserting “FINAL ENVIRONMENTAL”;

(B) by striking “Draft Impact” and inserting “Final Environmental”;

(C) by striking “draft environmental” and inserting “final environmental”;

(D) by striking “March 2007” and inserting “July 6, 2009”;

(5) in paragraph (19) (as so redesignated), by striking “Draft” and inserting “Final Environmental”;

(6) by inserting after paragraph (25) (as so redesignated) the following:

“(26) PROJECT SERVICE AREA.—The term ‘Project Service Area’ means the area that encompasses the 43 Nation chapters, the southwest portion of the Jicarilla Apache Reservation, and the City that is identified to be served by the Project, as illustrated in figure IV–5 (Drawing No. 1695–406–49) of the Final Environmental Impact Statement.”;

(7) by inserting after paragraph (28) (as so redesignated) the following:

“(29) SETTLEMENT TRUST FUNDS.—The term ‘Settlement Trust Funds’ means—

“(A) the Navajo Nation Water Resources Development Trust Fund established by subsection (a)(1) of section 10702;

“(B) the Navajo Nation Operations, Maintenance, and Replacement Trust Fund established under subsection (b)(1) of that section; and

“(C) the Jicarilla Apache Nation Operations, Maintenance, and Replacement Trust Fund established under subsection (c)(2) of that section.”;

(8) by adding at the end the following:

“(33) WORKING COST ESTIMATE.—The term ‘Working Cost Estimate’ means the Bureau of Reclamation document entitled ‘NGWSP October 2022 WCE’ and dated February 26, 2023, that details the costs totaling \$2,138,387,000, at the October 2022 price level, of the Project, as configured on that date.”.

#### **SEC. 103. NAVAJO-GALLUP WATER SUPPLY PROJECT.**

(a) AUTHORIZATION OF NAVAJO-GALLUP WATER SUPPLY PROJECT.—Section 10602 of the Northwestern New Mexico Rural Water Projects Act (Public Law 111–11; 123 Stat. 1379) is amended—

(1) in subsection (a)—

(A) in the subsection heading, by striking “IN GENERAL” and inserting “AUTHORIZATION”;

(B) by striking “The Secretary” and inserting the following:

“(1) IN GENERAL.—The Secretary”;

(C) in paragraph (1) (as so designated), by striking “Draft Impact Statement” and inserting “Final Environmental Impact Statement, as further refined in, and including the facilities identified in, the Working Cost Estimate and any subsequent supplemental documents prepared in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.)”;

(D) by adding at the end the following:

“(2) ADDITIONAL SERVICE AREAS.—

“(A) FINDINGS.—Congress finds that—

“(i) expanding the Project Service Area would create opportunities to increase service for additional Nation Tribal members and would not increase the cost of the Project beyond authorization levels described in section 10609(a); and

“(ii) the unit operations and maintenance costs of the Project would be reduced by adding more customers to the Project.

“(B) AUTHORIZATIONS FOR ADDITIONAL PROJECT SERVICE AREAS.—

“(i) NEW MEXICO.—In addition to delivering water supply from the Project to the Nation communities in the San Juan River Basin, the Nation may expand the Project Service Area in order to deliver water supply from the Project to communities of the Nation within the Rio San Jose Basin, New Mexico.

“(ii) ARIZONA.—In addition to delivering water supply from the Project to the Nation communities of Fort Defiance and Window Rock, Arizona, and subject to section 10603(c)(1), the Nation may expand the Project Service Area in order to deliver water supply from the Project to the Nation community of Lupton, Arizona, within the Little Colorado River Basin, Arizona.”;

(2) in subsection (b)—

(A) in the matter preceding paragraph (1)—

(i) by inserting “acquire,” before “construct,”; and

(ii) by striking “Draft Impact Statement” and inserting “Final Environmental Impact Statement, as further refined in, and including the facilities identified in, the Working Cost Estimate and any subsequent supplemental documents prepared in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.)”;

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

“(1) The water conveyance and storage facilities associated with the San Juan Generating Station (the coal-fired, 4-unit electric power plant and ancillary features located by the San Juan Mine near Waterflow, New Mexico), including the diversion dam, the intake structure, the river pumping plant, the pipeline from the river to the reservoir, the dam and associated reservoir, and any associated land, or interest in land, or ancillary features.”;

(C) in paragraph (2)(A)—

(i) by striking “River near Kirtland, New Mexico,” and inserting “Generating Station Reservoir”;

(ii) by inserting “generally” before “follows United States Highway 491”;

(D) in paragraph (3)(A), by inserting “generally” before “follows United States Highway 550”;

(E) in paragraph (5), by inserting “(including any reservoir facility)” after “treatment facility”;

(3) in subsection (c)—

(A) in the subsection heading, by inserting “AND FACILITIES” after “LAND”;

(B) in paragraph (1), by striking “any land or interest in land that is” and inserting “any land or facilities, or interest in land or facilities, that are”;

(C) by adding at the end the following:

“(4) LAND TO BE TAKEN INTO TRUST.—

“(A) IN GENERAL.—On satisfaction of the conditions described in paragraph (7) of the Agreement and after the requirements of sections 10701(e) and 10703 are met, the Secretary shall take legal title to the following land and, subject to subparagraph (D), hold that land in trust for the benefit of the Nation:

“(i) Fee land of the Nation, including—

“(I) the parcels of land on which the Tohlokai Pumping Plant, Reach 12A and Reach 12B, are located, including, in McKinley County, New Mexico—

“(aa) sec. 5, T. 16 N., R. 18 W., New Mexico Prime Meridian; and

“(bb) sec. 33, T. 17 N., R. 17 W., New Mexico Prime Meridian (except lot 9 and the NW¼ of lot 4);

“(II) the parcel of land on which Reach 12.1 is located, including—

“(aa) NW¼ and SW¼ sec. 5, T. 16 N., R. 18 W.;

“(bb) N½ sec. 11, T. 16 N., R. 19 W.; and

“(cc) sec. 12, T. 16 N., R. 20 W.; and

“(III) the parcel of land on which Reach 12.2 is located, including NW¼, sec. 2, T. 16 N., R. 21 W.

“(ii) Public domain land managed by the Bureau of Land Management, including—

“(I) the parcel of land on which the Cutter Lateral Water Treatment Plant is located, including S½ sec. 9, T. 25 N., R. 9 W., New Mexico Prime Meridian; and

“(II) the parcel of land on which the Navajo Agricultural Products Industry turnout is located, including NW¼ and NE¼ sec. 34, T. 26 N., R. 9 W., New Mexico Prime Meridian.

“(iii) The land underlying the San Juan Generating Station (the coal-fired, 4-unit electric power plant and ancillary features located by the San Juan Mine near Waterflow, New Mexico) acquired by the United States, as described in subsection (b)(1).

“(B) PART OF NAVAJO NATION.—The land taken into trust under subparagraph (A)

shall be part of the Navajo Reservation and administered in accordance with the laws and regulations generally applicable to land held in trust by the United States for the benefit of an Indian Tribe.

“(C) RESTRICTIONS.—

“(i) FEE LAND OF THE NATION.—The fee land of the Nation taken into trust under subparagraph (A)(i) shall be subject to valid existing rights, contracts, and management agreements, including easements and rights-of-way, unless the holder of the right, contract, lease, permit, or right-of-way requests an earlier termination in accordance with existing law.

“(ii) PUBLIC DOMAIN LAND.—

“(I) IN GENERAL.—The public domain land managed by the Bureau of Land Management taken into trust under subparagraph (A)(ii) shall be subject to valid existing rights, contracts, leases, permits, and rights-of-way, unless the holder of the right, contract, lease, permit, or right-of-way requests an earlier termination in accordance with existing law.

“(II) BIA ASSUMPTION OF BENEFITS AND OBLIGATIONS.—The Bureau of Indian Affairs shall—

“(aa) assume all benefits and obligations of the previous land management agency under the existing rights, contracts, leases, permits, or rights-of-way described in subclause (I); and

“(bb) disburse to the Nation any amounts that accrue to the United States from those rights, contracts, leases, permits, or rights-of-ways after the date on which the land described in clause (ii) of subparagraph (A) is taken into trust for the benefit of the Nation from any sale, bonus, royalty, or rental relating to that land in the same manner as amounts received from other land held by the Secretary in trust for the Nation.

“(iii) LAND UNDERLYING THE SAN JUAN GENERATING STATION.—

“(I) IN GENERAL.—The land underlying the San Juan Generating Station (the coal-fired, 4-unit electric power plant and ancillary features located by the San Juan Mine near Waterflow, New Mexico) taken into trust under subparagraph (A)(iii) shall be subject to a perpetual easement on and over all of the land underlying the San Juan Generating Station reserved to the United States for use by the Bureau of Reclamation and its contractors and assigns—

“(aa) for ingress and egress;

“(bb) to continue construction of the Project; and

“(cc) for operation and maintenance of Project facilities located on that land.

“(II) RESERVED PERPETUAL EASEMENT.—The reserved perpetual easement described in subclause (I) shall remain vested in the United States unless title to the Project facilities and appropriate interests in land are conveyed pursuant to subsection (f).

“(D) SAVINGS CLAUSE.—Nothing in this paragraph affects any—

“(i) water right of the Nation in existence on the day before the date of enactment of the Navajo-Gallup Water Supply Project Amendments Act of 2023; and

“(ii) right or claim of the Nation to any land or interest in land in existence on the day before the date of enactment of the Navajo-Gallup Water Supply Project Amendments Act of 2023.”;

(4) in subsection (d)(1)(D), by striking “Draft” and inserting “Final Environmental”;

(5) in subsection (e)—

(A) by striking “The Secretary” and inserting the following:

“(1) IN GENERAL.—The Secretary”; and

(B) by adding at the end the following:

“(2) RENEWABLE ENERGY AND HYDROELECTRIC POWER.—

“(A) RENEWABLE ENERGY.—For any portion of the Project that does not have access to Colorado River Storage Project power, the Secretary may use not more than \$6,250,000 of the amounts made available under section 10609(a)(1) to develop renewable energy.

“(B) HYDROELECTRIC POWER.—Notwithstanding whether a Project facility has access to Colorado River Storage Project power, the Secretary may use not more than \$1,250,000 of the \$6,250,000 authorized to be used to develop renewable energy under subparagraph (A) to develop hydroelectric power for any Project facility that can use hydraulic head to produce electricity.”;

(6) in subsection (h)(1), in the matter preceding subparagraph (A), by inserting “, store,” after “treat”; and

(7) by adding at the end the following:

“(i) DEFERRED CONSTRUCTION OF PROJECT FACILITIES.—

“(1) DEFERRED CONSTRUCTION OF PROJECT FACILITIES.—On mutual agreement between the Nation and the Secretary, and the Jicarilla Apache Nation if the deferred Project facilities benefit the Jicarilla Apache Nation, construction of selected Project facilities may be deferred to save operation and maintenance expenses associated with that construction.

“(2) DEFERRED CONSTRUCTION FUND.—

“(A) ESTABLISHMENT.—There is established in the Treasury a fund, to be known as the ‘Navajo Nation’s Navajo-Gallup Water Supply Project Deferred Construction Fund’, to consist of—

“(i) amounts that correspond to portions of the Project that have been deferred under paragraph (1); and

“(ii) any interest or other gains on amounts referred to in clause (i).

“(B) USE OF THE DEFERRED CONSTRUCTION FUND.—The Nation may use amounts in the Deferred Construction Fund—

“(i) to construct Project facilities that have been deferred under paragraph (1); or

“(ii) to construct alternate facilities agreed on under subparagraph (C).

“(C) ALTERNATE FACILITIES CONSISTENT WITH THE PURPOSE OF THE PROJECT.—On agreement between the Nation and the Secretary, and the Jicarilla Apache Nation if the deferred Project facilities benefit the Jicarilla Apache Nation, and in compliance with all applicable environmental and cultural resource protection laws, facilities other than those previously agreed to be deferred under paragraph (1) may be constructed if those alternate facilities are consistent with the purposes of the Project described in section 10601.

“(3) AMOUNTS TO BE DEPOSITED.—Funds allocated from the amounts made available under section 10609(a)(1) to build facilities referred to in paragraph (1) shall be deposited into the Deferred Construction Fund.

“(4) ADJUSTMENTS.—On deposit of amounts into the Deferred Construction Fund under paragraph (3), the adjustments to authorized appropriations under section 10609(a)(2) shall no longer apply to those amounts.

“(5) DEADLINE TO CONSTRUCT PROJECT FACILITIES.—On deposit of all amounts into the Deferred Construction Fund for construction of Project facilities agreed on under paragraph (1), the Secretary shall be deemed to have met the obligation under section 10701(e)(1)(A)(ix).

“(6) FUTURE CONSTRUCTION OF PROJECT FACILITIES.—On agreement between the Nation and the Secretary, and the Jicarilla Apache Nation if the deferred Project facilities benefit the Jicarilla Apache Nation, the Nation shall use amounts deposited into the Deferred Construction Fund to construct—

“(A) Project facilities deferred under paragraph (1); or

“(B) alternate Project facilities described in paragraph (2)(C).”.

(b) DELIVERY AND USE OF NAVAJO-GALLUP WATER SUPPLY PROJECT WATER.—Section 10603 of the Northwestern New Mexico Rural Water Projects Act (Public Law 111–11; 123 Stat. 1382) is amended—

(1) in subsection (a)(3)(B)—

(A) in clause (i), by inserting “or, if generated on City-owned facilities, by the City” after “the Nation”; and

(B) in clause (ii), by inserting “, except that the City shall retain all revenue from the sale of hydroelectric power that is generated on City-owned facilities” after “hydroelectric power”; and

(2) in subsection (g)(2), by striking “, except as provided in section 10604(f)”.

(c) PROJECT CONTRACTS.—Section 10604 of the Northwestern New Mexico Rural Water Projects Act (Public Law 111–11; 123 Stat. 1388) is amended—

(1) in subsection (a)(4), by striking “Subject to subsection (f), the” and inserting “The”;

(2) in subsection (b)(3)—

(A) in subparagraph (A), by striking “subparagraph (B)” and inserting “subparagraphs (B) and (C)”; and

(B) in subparagraph (B)—

(i) in the subparagraph heading, by striking “MINIMUM PERCENTAGE” and inserting “MAXIMUM PERCENTAGE”;

(ii) by striking “at least 25 percent” and inserting “not more than 25 percent”; and

(iii) by striking “, but shall in no event exceed 35 percent”; and

(C) by adding at the end the following:

“(C) MAXIMUM REPAYMENT OBLIGATION.—The repayment obligation of the City referred to in subparagraphs (A) and (B) shall not exceed \$76,000,000.”;

(3) in subsection (c)(1)(B), by inserting “subsection (f) and” before “section 10603(g)”; and

(4) in subsection (d)(1), by striking “Draft” and inserting “Final Environmental”;

(5) in subsection (e), by striking “Draft” and inserting “Final Environmental”;

(6) by striking subsection (f); and

(7) by redesignating subsection (g) as subsection (f).

(d) AUTHORIZATION OF APPROPRIATIONS.—Section 10609 of the Northwestern New Mexico Rural Water Projects Act (Public Law 111–11; 123 Stat. 1395; 129 Stat. 528) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking “\$870,000,000 for the period of fiscal years 2009 through 2024” and inserting “\$2,175,000,000 for the period of fiscal years 2009 through 2029”;

(B) by striking paragraph (2) and inserting the following:

“(2) ADJUSTMENTS.—

“(A) IN GENERAL.—The amount under paragraph (1) shall be adjusted by such amounts as may be required—

“(i) by reason of changes since October 2022 in construction cost changes in applicable regulatory standards, as indicated by engineering cost indices applicable to the types of construction involved; and

“(ii) to address construction cost changes necessary to account for unforeseen market volatility that may not otherwise be captured by engineering cost indices described in clause (i), as determined by the Secretary, including repricing applicable to the types of construction and current industry standards involved.

“(B) DEFERRED CONSTRUCTION FUND.—Amounts deposited in the Deferred Construction Fund shall not be adjusted pursuant to this paragraph.”; and

(C) in paragraph (4)(B), by striking “10 years” and inserting “15 years”; and

(2) in subsection (b)—

(A) in paragraph (1), by striking “\$30,000,000, as adjusted under paragraph (3), for the period of fiscal years 2009 through 2019” and inserting “\$37,500,000, as adjusted under paragraph (4), for the period of fiscal years 2009 through 2032”;

(B) in paragraph (2), by striking “2024” and inserting “2032”; and

(C) in paragraph (3), by striking “The amount under paragraph (1)” and inserting “The amount under paragraphs (1) and (2)”.

(e) TAXATION OF CONSTRUCTION, OPERATION, AND MAINTENANCE OF PROJECT FACILITIES.—Part III of the Northwestern New Mexico Rural Water Projects Act (Public Law 111–11; 123 Stat. 1379) is amended by adding at the end the following:

**“SEC. 10610. TAXATION OF CONSTRUCTION, OPERATION, AND MAINTENANCE OF PROJECT FACILITIES.**

“(a) NATION LAND.—Any activity constituting the construction, operation, or maintenance of Project facilities—

“(1) shall, if the activity takes place on land that is held in trust by the United States for the benefit of the Nation, be subject to taxation by the Nation; and

“(2) shall not be subject to any fee, tax, assessment, levy, or other charge imposed by any State or political subdivision of a State.

“(b) OTHER LAND.—Any activity constituting the construction, operation, or maintenance of Project facilities—

“(1) shall, if the activity takes place on land other than the land described in subsection (a)(1), be subject to taxation by the State in which the land is located, or by a political subdivision of that State to the extent authorized by the laws of that State; and

“(2) shall not be subject to any fee, tax, assessment, levy, or other charge imposed by the Nation.”.

**SEC. 104. NAVAJO NATION WATER RIGHTS.**

(a) AGREEMENT.—Section 10701(e) of the Northwestern New Mexico Rural Water Projects Act (Public Law 111–11; 123 Stat. 1400; 129 Stat. 528) is amended—

(1) in paragraph (1)(A)—

(A) by striking clause (vii) and inserting the following:

“(vii) NAVAJO NATION WATER RESOURCES DEVELOPMENT TRUST FUND.—Not later than December 31, 2019, the United States shall make all deposits into the Navajo Nation Water Resources Development Trust Fund established by section 10702(a)(1).”;

(B) in clause (ix), by striking “2024” and inserting “2029”; and

(C) by adding at the end the following:

“(x) DEFERRED CONSTRUCTION FUND.—

“(I) IN GENERAL.—Not later than December 31, 2029, the United States shall make all deposits into the Deferred Construction Fund in accordance with section 10602(i)(3).

“(II) PROJECT DEADLINE.—On deposit of the amounts into the Deferred Construction Fund under subclause (I), even if certain Project facilities have not yet been constructed, the Secretary shall be deemed to have met the deadline described in clause (ix).”;

(2) in paragraph (2)(B)—

(A) in clause (i), by striking “Trust Fund” and inserting “Settlement Trust Funds”; and

(B) in clause (ii), by striking “Trust Fund” and inserting “Settlement Trust Funds”.

(b) SETTLEMENT TRUST FUNDS.—Section 10702 of the Northwestern New Mexico Rural Water Projects Act (Public Law 111–11; 123 Stat. 1402) is amended to read as follows:

**“SEC. 10702. SETTLEMENT TRUST FUNDS.**

“(a) NAVAJO NATION WATER RESOURCES DEVELOPMENT TRUST FUND.—

“(1) ESTABLISHMENT.—There is established in the Treasury a fund, to be known as the

‘Navajo Nation Water Resources Development Trust Fund’, consisting of—

“(A) such amounts as are appropriated to the Navajo Nation Water Resources Development Trust Fund under paragraph (5); and

“(B) any interest earned on investment of amounts in the Navajo Nation Water Resources Development Trust Fund under paragraph (3).

“(2) USE OF FUNDS.—The Nation may use amounts in the Navajo Nation Water Resources Development Trust Fund—

“(A) to investigate, construct, operate, maintain, or replace water project facilities, including facilities conveyed to the Nation under this subtitle and facilities owned by the United States for which the Nation is responsible for operation, maintenance, and replacement costs; and

“(B) to investigate, implement, or improve a water conservation measure (including a metering or monitoring activity) necessary for the Nation to make use of a water right of the Nation under the Agreement.

“(3) INVESTMENT.—Beginning on October 1, 2019, the Secretary shall invest amounts in the Navajo Nation Water Resources Development Trust Fund in accordance with subsection (e).

“(4) INVESTMENT EARNINGS.—Any investment earnings, including interest, credited to amounts held in the Navajo Nation Water Resources Development Trust Fund are authorized to be used in accordance with paragraph (2).

“(5) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for deposit in the Navajo Nation Water Resources Development Trust Fund—

“(A) \$6,000,000 for each of fiscal years 2010 through 2014; and

“(B) \$4,000,000 for each of fiscal years 2015 through 2019.

“(6) AVAILABILITY.—Any amount authorized to be appropriated to the Navajo Nation Water Resources Development Trust Fund under paragraph (5) shall not be available for expenditure or withdrawal—

“(A) before December 31, 2019; and

“(B) until the date on which the court in the stream adjudication has entered—

“(i) the Partial Final Decree; and

“(ii) the Supplemental Partial Final Decree.

“(7) MANAGEMENT.—The Secretary shall manage the Navajo Nation Water Resources Development Trust Fund in accordance with subsection (d).

“(8) CONDITIONS FOR EXPENDITURE AND WITHDRAWAL.—After the funds become available pursuant to paragraph (6), all expenditures and withdrawals by the Nation of funds in the Navajo Nation Water Resources Development Trust Fund must comply with the requirements of subsection (f).

“(b) NAVAJO NATION OPERATIONS, MAINTENANCE, AND REPLACEMENT TRUST FUND.—

“(1) ESTABLISHMENT.—The Secretary shall establish a trust fund to be known as the ‘Navajo Nation Operations, Maintenance, and Replacement Trust Fund’ for the purposes set forth in paragraph (2), to be managed, invested, and distributed by the Secretary, and to remain available until expended, withdrawn, or reverted to the general fund of the Treasury, consisting of the amounts deposited in the trust fund under paragraph (3), together with any interests earned on those amounts under paragraph (4).

“(2) USE OF FUNDS.—The Nation may use amounts in the Navajo Nation Operations, Maintenance, and Replacement Trust Fund to pay operations, maintenance, and replacement costs of the Project allocable to the Nation under section 10604.

“(3) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for

deposit in the Navajo Nation Operations, Maintenance, and Replacement Trust Fund \$250,000,000.

“(4) INVESTMENT.—Upon deposit of funding into the Navajo Nation Operations, Maintenance, and Replacement Trust Fund pursuant to paragraph (3), the Secretary shall invest amounts deposited in accordance with subsection (e).

“(5) INVESTMENT EARNINGS.—Any investment earnings, including interest, credited to amounts held in the Navajo Nation Operations, Maintenance, and Replacement Trust Fund are authorized to be used in accordance with paragraph (2).

“(6) AVAILABILITY.—Any amount authorized to be appropriated to the Navajo Nation Operations, Maintenance, and Replacement Trust Fund under paragraph (3) shall not be available for expenditure or withdrawal until the Nation is responsible for payment of operation, maintenance, and replacement costs as set forth in section 10603(g).

“(7) FLUCTUATION IN COSTS.—

“(A) IN GENERAL.—The amounts authorized to be appropriated under paragraph (3) shall be increased or decreased, as appropriate, by such amounts as may be justified by reason of ordinary fluctuations in costs occurring after October 2022 as indicated by the Bureau of Reclamation Operation and Maintenance Cost Index.

“(B) REPETITION.—The adjustment process under this subparagraph shall be repeated for each subsequent amount appropriated until the amount authorized, as adjusted, has been appropriated.

“(C) PERIOD OF INDEXING.—The period of indexing adjustment under this subparagraph for any increment of funding shall end on the date on which the funds are deposited into the Navajo Nation Operations, Maintenance, and Replacement Trust Fund.

“(8) MANAGEMENT.—The Secretary shall manage the Navajo Nation Operations, Maintenance, and Replacement Trust Fund in accordance with subsection (d).

“(9) CONDITIONS FOR EXPENDITURE AND WITHDRAWAL.—All expenditures and withdrawals by the Nation of funds in the Navajo Nation Operations, Maintenance, and Replacement Trust Fund must comply with the requirements of subsection (f).

“(c) JICARILLA APACHE NATION OPERATIONS, MAINTENANCE, AND REPLACEMENT TRUST FUND.—

“(1) PREREQUISITE TO ESTABLISHMENT.—Prior to establishment of the trust fund under paragraph (2), the Secretary shall conduct an Ability to Pay study to determine what operation, maintenance, and replacement costs of that section of the Project serving the Jicarilla Apache Nation are in excess of the ability of the Jicarilla Apache Nation to pay.

“(2) ESTABLISHMENT.—Upon completion of the Ability to Pay study as set forth in paragraph (1), the Secretary shall establish a trust fund to be known as the ‘Jicarilla Apache Nation Operations, Maintenance, and Replacement Trust Fund’ for the purposes set forth in paragraph (3), to be managed, invested, and distributed by the Secretary and to remain available until expended, withdrawn, or reverted to the general fund of the Treasury, consisting of the amounts deposited in the trust fund under paragraph (4), together with any interests earned on those amounts under paragraph (5).

“(3) USE OF FUNDS.—The Jicarilla Apache Nation may use amounts in the Jicarilla Apache Nation Operations, Maintenance, and Replacement Trust Fund to pay operations, maintenance, and replacement costs of the Project allocable to the Jicarilla Nation under section 10604.

“(4) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for

deposit in the Jicarilla Apache Nation Operations, Maintenance, and Replacement Trust Fund the amounts the Secretary has determined are in excess of the ability of the Jicarilla Apache Nation to pay in the Ability to Pay study required under paragraph (1) up to a maximum of \$10,000,000.

“(5) INVESTMENT.—Upon deposit of funding into the Jicarilla Apache Nation Operations, Maintenance, and Replacement Trust Fund pursuant to paragraph (4), the Secretary shall invest amounts in the fund in accordance with subsection (e).

“(6) INVESTMENT EARNINGS.—Any investment earnings, including interest, credited to amounts held in the Jicarilla Apache Nation Operations, Maintenance, and Replacement Trust Fund are authorized to be used in accordance with paragraph (3).

“(7) AVAILABILITY.—Any amount authorized to be appropriated to the Jicarilla Apache Nation Operations, Maintenance, and Replacement Trust Fund under paragraph (4) shall not be available for expenditure or withdrawal until the Jicarilla Apache Nation is responsible for payment of operation, maintenance, and replacement costs as set forth in section 10603(g).

“(8) FLUCTUATION IN COSTS.—

“(A) IN GENERAL.—The amounts authorized to be appropriated under paragraph (4) shall be increased or decreased, as appropriate, by such amounts as may be justified by reason of ordinary fluctuations in costs occurring after October 2022 as indicated by the Bureau of Reclamation Operation and Maintenance Cost Index.

“(B) REPETITION.—The adjustment process under this subparagraph shall be repeated for each subsequent amount appropriated until the amount authorized, as adjusted, has been appropriated.

“(C) PERIOD OF INDEXING.—The period of indexing adjustment under this subparagraph for any increment of funding shall end on the date on which the funds are deposited into the Jicarilla Apache Nation Operations, Maintenance, and Replacement Trust Fund.

“(9) MANAGEMENT.—The Secretary shall manage the Jicarilla Apache Nation Operations, Maintenance, and Replacement Trust Fund in accordance with subsection (d).

“(10) CONDITIONS FOR EXPENDITURE AND WITHDRAWAL.—All expenditures and withdrawals by the Jicarilla Apache Nation of funds in the Jicarilla Apache Nation Operations, Maintenance, and Replacement Trust Fund must comply with the requirements of subsection (f).

“(d) MANAGEMENT.—The Secretary shall manage the Settlement Trust Funds, invest amounts in the Settlement Trust Funds pursuant to subsection (e), and make amounts available from the Settlement Trust Funds for distribution to the Nation and the Jicarilla Apache Nation in accordance with the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.).

“(e) INVESTMENT OF THE TRUST FUNDS.—The Secretary shall invest amounts in the Settlement Trust Funds in accordance with—

“(1) the Act of April 1, 1880 (25 U.S.C. 161);

“(2) the first section of the Act of June 24, 1938 (25 U.S.C. 162a); and

“(3) the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.).

“(f) CONDITIONS FOR EXPENDITURES AND WITHDRAWALS.—

“(1) TRIBAL MANAGEMENT PLAN.—

“(A) IN GENERAL.—On approval by the Secretary of a Tribal management plan in accordance with the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.), the Nation and the Jicarilla Apache Nation may withdraw all or

a portion of the amounts in the Settlement Trust Funds.

“(B) REQUIREMENTS.—In addition to any requirements under the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.), a Tribal management plan shall require that the Nation and Jicarilla Apache Nation only use amounts in the Settlement Trust Funds for the purposes described in subsection (a)(2), (b)(2), or (c)(3), as applicable.

“(2) ENFORCEMENT.—The Secretary may take judicial or administrative action to enforce the provisions of any Tribal management plan to ensure that any amounts withdrawn from the Settlement Trust Funds are used in accordance with this subtitle.

“(3) NO LIABILITY.—The Secretary or the Secretary of the Treasury shall not be liable for the expenditure or investment of any amounts withdrawn from the Settlement Trust Funds by the Nation or the Jicarilla Apache Nation.

“(4) EXPENDITURE PLAN.—

“(A) IN GENERAL.—The Nation and Jicarilla Apache Nation shall submit to the Secretary for approval an expenditure plan for any portion of the amounts in the Settlement Trust Funds made available under this section that the Nation or the Jicarilla Apache Nation does not withdraw under this subsection.

“(B) DESCRIPTION.—An expenditure plan submitted under subparagraph (A) shall describe the manner in which, and the purposes for which, funds of the Nation or the Jicarilla Apache Nation remaining in the Settlement Trust Funds will be used.

“(C) APPROVAL.—On receipt of an expenditure plan under subparagraph (A), the Secretary shall approve the plan if the Secretary determines that the plan is reasonable and consistent with this subtitle.

“(5) ANNUAL REPORT.—The Nation and Jicarilla Apache Nation shall submit to the Secretary an annual report that describes any expenditures from the Settlement Trust Funds during the year covered by the report.

“(6) LIMITATION.—No portion of the amounts in the Settlement Trust Funds shall be distributed to any Nation or Jicarilla Apache Nation member on a per capita basis.”

(c) WAIVERS AND RELEASES.—Section 10703 of the Northwestern New Mexico Rural Water Projects Act (Public Law 111-11; 123 Stat. 1403) is amended—

(1) in subsection (d)(1)(A), by striking “2025” and inserting “2030”; and

(2) in subsection (e)(2), in the matter preceding subparagraph (A), by striking “2025” and inserting “2030”.

**SA 1228.** Mr. PADILLA submitted an amendment intended to be proposed to amendment SA 1092 proposed by Mrs. MURRAY (for herself and Ms. COLLINS) to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division B, insert the following:

SEC. \_\_\_\_\_. Section 226B(f) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6934(f)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (B), by striking “organizations” and inserting “organizations, institutions of higher education, and local educational agencies”;

(B) in subparagraph (E), by striking “institutions on research, program improvements, or agricultural education opportunities” and

inserting “institutions or community-based nonprofit organizations on research, program improvements, agricultural education opportunities, or technical skills and job training programs”;

(C) by adding at the end the following:

“(G) Assessing the effectiveness with respect to farmworkers of Department outreach programs.

“(H) Developing and implementing a plan to coordinate outreach activities and services provided by the Department with respect to farmworkers.

“(I) Collaborating with and providing input on programmatic and policy decisions relating to farmworkers to the agencies and offices of the Department, including—

“(i) the Farm Service Agency;

“(ii) the Natural Resources Conservation Service;

“(iii) the rural development mission area;

“(iv) the National Institute of Food and Agriculture;

“(v) the Food and Nutrition Service;

“(vi) the Agricultural Marketing Service;

“(vii) the Forest Service;

“(viii) the National Agricultural Statistics Service; and

“(ix) any other agency or office that the Coordinator determines to be appropriate.

“(J) Communicating to employers of farmworkers, and publicizing on the website of the Department, information about Federal programs for which the employees of those employers may be eligible.

“(K) Identifying research priorities to inform the research activities of the Department relating to farmworkers.

“(L) Measuring and analyzing outcomes of the programs and activities of the Department on farmworkers.

“(M) Recommending new initiatives and programs to the Secretary.

“(N) Carrying out any other related duties that the Secretary determines to be appropriate.”;

(2) by redesignating paragraph (3) as paragraph (4);

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

“(3) STAFF.—The Secretary, acting through the Coordinator, shall employ such staff as the Secretary determines necessary to carry out the duties described in paragraph (2).”; and

(4) in paragraph (4) (as so redesignated), in subparagraph (B), by striking “2023” and inserting “2029”.

**SA 1229.** Ms. ROSEN (for herself, Mr. MORAN, and Ms. MURKOWSKI) submitted an amendment intended to be proposed to amendment SA 1092 proposed by Mrs. MURRAY (for herself and Ms. COLLINS) to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division B, insert the following:

SEC. \_\_\_\_\_. Notwithstanding any other provision of this Act—

(1) the amount made available under this Act for the cost of direct loans, loan guarantees and grants, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, for rural community facilities programs as authorized by section 306 and described in section 381E(d)(1) of the Consolidated Farm and Rural Development Act, shall be \$256,134,000, to remain available until expended; and

(2) the amount made available under this Act for “Agricultural Programs—Agriculture Buildings and Facilities” shall be \$33,081,000.

**SA 1230.** Mr. SCHUMER proposed an amendment to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; as follows:

At the end of division C, add the following:  
**SEC. 422. EFFECTIVE DATE.**

This Act shall take effect on the date that is 9 days after the date of enactment of this Act.

**SA 1231.** Mr. PADILLA submitted an amendment intended to be proposed to amendment SA 1092 proposed by Mrs. MURRAY (for herself and Ms. COLLINS) to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

On page 257, between lines 2 and 3, insert the following:

**HEALTHY STREETS PROGRAM**

For the healthy streets program under section 11406 of the Infrastructure Investment and Jobs Act (23 U.S.C. 149 note; Public Law 117-58), \$100,000,000, to remain available until expended.

**SA 1232.** Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 1092 proposed by Mrs. MURRAY (for herself and Ms. COLLINS) to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

**DIVISION D—PREVENT GOVERNMENT SHUTDOWNS**

**SEC. 4001. SHORT TITLE.**

This division may be cited as the “Prevent Government Shutdowns Act of 2023”.

**SEC. 4002. AUTOMATIC CONTINUING APPROPRIATIONS.**

(a) IN GENERAL.—Chapter 13 of title 31, United States Code, is amended by adding at the end the following:

**“§ 1311. Automatic continuing appropriations**

“(a)(1)(A) On and after the first day of each fiscal year, if an appropriation Act for such fiscal year with respect to the account for a program, project, or activity has not been enacted and continuing appropriations are not in effect with respect to the program, project, or activity, there are appropriated such sums as may be necessary to continue, at the rate for operations specified in subparagraph (C), the program, project, or activity if funds were provided for the program, project, or activity during the preceding fiscal year.

“(B)(i) Appropriations and funds made available and authority granted under subparagraph (A) shall be available for a period of 14 days.

“(ii) If, at the end of the first 14-day period during which appropriations and funds are made available and authority is granted under subparagraph (A), and the end of every

14-day period thereafter, an appropriation Act for such fiscal year with respect to the account for a program, project, or activity has not been enacted and continuing appropriations are not in effect with respect to the program, project, or activity under a provision of law other than subparagraph (A), the appropriations and funds made available and authority granted under subparagraph (A) during the 14-day period shall be extended for an additional 14-day period.

“(C)(i) Except as provided in clause (ii), the rate for operations specified in this subparagraph with respect to a program, project, or activity is the rate for operations for the preceding fiscal year for the program, project, or activity—

“(I) provided in the corresponding appropriation Act for such preceding fiscal year;

“(II) if the corresponding appropriation bill for such preceding fiscal year was not enacted, provided in the law providing continuing appropriations for such preceding fiscal year; or

“(III) if the corresponding appropriation bill and a law providing continuing appropriations for such preceding fiscal year were not enacted, provided under this section for such preceding fiscal year.

“(ii) For entitlements and other mandatory payments whose budget authority was provided for the previous fiscal year in appropriations Acts, under a law other than this section providing continuing appropriations for such previous year, or under this section, and for activities under the Food and Nutrition Act of 2008, appropriations and funds made available during a fiscal year under this section shall be at the rate necessary to maintain program levels under current law, under the authority and conditions provided in the applicable appropriations Act.

“(2) Appropriations and funds made available, and authority granted, for any fiscal year pursuant to this section for a program, project, or activity shall be available, in accordance with paragraph (1)(B), for the period—

“(A) beginning on the first day of any lapse in appropriations during such fiscal year; and

“(B) ending on the date of enactment of an appropriation Act for such fiscal year with respect to the account for such program, project, or activity (whether or not such Act provides appropriations for such program, project, or activity) or a law making continuing appropriations for the program, project, or activity, as applicable.

“(3) Notwithstanding section 251(a)(1) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(a)(1)) and the timetable in section 254(a) of such Act (2 U.S.C. 904(a)), for any fiscal year for which appropriations and funds are made available under this section, the final sequestration report for such fiscal year pursuant to section 254(f)(1) of such Act (2 U.S.C. 904(f)(1)) and any order for such fiscal year pursuant to section 254(f)(5) of such Act (2 U.S.C. 901(f)(5)) shall be issued—

“(A) for the Congressional Budget Office, 10 days after the date on which appropriation Acts providing funding for the entire Federal Government through the end of such fiscal year have been enacted; and

“(B) for the Office of Management and Budget, 15 days after the date on which appropriation Acts providing funding for the entire Federal Government through the end of such fiscal year have been enacted.

“(b) An appropriation or funds made available, or authority granted, for a program, project, or activity for any fiscal year pursuant to this section shall be subject to the terms and conditions imposed with respect to the appropriation made or funds made

available for the preceding fiscal year, or authority granted for such program, project, or activity under current law.

“(c) Expenditures made for a program, project, or activity for any fiscal year pursuant to this section shall be charged to the applicable appropriation, fund, or authorization whenever an appropriation Act for such fiscal year with respect to the account for a program, project, or activity or a law making continuing appropriations until the end of such fiscal year for such program, project, or activity is enacted.

“(d) This section shall not apply to a program, project, or activity during a fiscal year if any other provision of law (other than an authorization of appropriations)—

“(1) makes an appropriation, makes funds available, or grants authority for such program, project, or activity to continue for such period; or

“(2) specifically provides that no appropriation shall be made, no funds shall be made available, or no authority shall be granted for such program, project, or activity to continue for such period.”

(b) CLERICAL AMENDMENT.—The table of sections for chapter 13 of title 31, United States Code, is amended by adding at the end the following:

“1311. Automatic continuing appropriations.”

**SEC. 4003. TIMELY ENACTMENT OF APPROPRIATION ACTS.**

(a) DEFINITIONS.—In this section—

(1) the term “covered officer or employee” means—

(A) an officer or employee of the Office of Management and Budget;

(B) a Member of Congress; or

(C) an employee of the personal office of a Member of Congress, a committee of either House of Congress, or a joint committee of Congress;

(2) the term “covered period”—

(A) means any period of automatic continuing appropriations; and

(B) with respect to the legislative branch—

(i) does not include any period of automatic continuing appropriations that occurs during the period—

(I) beginning at the time at which general appropriations Acts providing funding for the entire Federal Government (including an appropriation Act providing continuing funding) have been enacted or passed in identical form by both Houses and transmitted to Secretary of the Senate or Clerk of the House for enrollment and presentment to the President for his signature; and

(II) ending at the time at which 1 or more general appropriations Acts—

(aa) are vetoed by the President; or

(bb) do not become law without the President’s signature under article I, section 7 of the Constitution of the United States based on an adjournment of the Congress; and

(ii) includes any period of automatic continuing appropriations that is not a period described in clause (i) and that follows a veto or a failure to become law (as described in item (bb) of clause (i)(II)) of 1 or more general appropriations Acts;

(3) the term “Member of Congress” has the meaning given that term in section 2106 of title 5, United States Code;

(4) the term “National Capital Region” has the meaning given that term in section 8702 of title 40, United States Code; and

(5) the term “period of automatic continuing appropriations” means a period during which automatic continuing appropriations under section 1311 of title 31, United States Code, as added by section 4002 of this division, are in effect with respect to 1 or more programs, projects, or activities.

(b) LIMITS ON TRAVEL EXPENDITURES.—



## (1) LIMITS ON OFFICIAL TRAVEL.—

(A) LIMITATION.—Except as provided in subparagraph (B), no amounts may be obligated or expended for official travel by a covered officer or employee during a covered period.

## (B) EXCEPTIONS.—

(i) RETURN TO DC.—If a covered officer or employee is away from the seat of Government on the date on which a covered period begins, funds may be obligated and expended for official travel for a single return trip to the seat of Government by the covered officer or employee.

(ii) TRAVEL IN NATIONAL CAPITAL REGION.—During a covered period, amounts may be obligated and expended for official travel by a covered officer or employee from one location in the National Capital Region to another location in the National Capital Region.

(iii) NATIONAL SECURITY EVENTS.—During a covered period, if a national security event that triggers a continuity of operations or continuity of Government protocol occurs, amounts may be obligated and expended for official travel by a covered officer or employee for any official travel relating to responding to the national security event or implementing the continuity of operations or continuity of Government protocol.

(2) RESTRICTION ON USE OF CAMPAIGN FUNDS.—Section 313 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30114) is amended—

(A) in subsection (a)(2), by striking “for ordinary” and inserting “except as provided in subsection (d), for ordinary”; and

(B) by adding at the end the following:

“(d) RESTRICTION ON USE OF CAMPAIGN FUNDS FOR OFFICIAL TRAVEL DURING AUTOMATIC CONTINUING APPROPRIATIONS.—

“(1) IN GENERAL.—Except as provided in paragraph (2), during a covered period (as defined in section 4003 of the Prevent Government Shutdowns Act of 2023), a contribution or donation described in subsection (a) may not be obligated or expended for travel in connection with duties of the individual as a holder of Federal office.

“(2) RETURN TO DC.—If the individual is away from the seat of Government on the date on which a covered period (as so defined) begins, a contribution or donation described in subsection (a) may be obligated and expended for travel by the individual to return to the seat of Government.”.

(c) PROCEDURES IN THE SENATE AND HOUSE OF REPRESENTATIVES.—

(1) IN GENERAL.—During a covered period, in the Senate and the House of Representatives—

(A) it shall not be in order to move to proceed to any matter except for—

(i) a measure making appropriations for the fiscal year during which the covered period begins;

(ii) any motion required to determine the presence of or produce a quorum; or

(iii) on and after the 30th calendar day after the first day of a covered period—

(I) the nomination of an individual—

(aa) to a position at level I of the Executive Schedule under section 5312 of title 5, United States Code; or

(bb) to serve as Chief Justice of the United States or an Associate Justice of the Supreme Court of the United States; or

(II) a measure extending the period during which a program, project, or activity is authorized to be carried out (without substantive change to the program, project, or activity or any other program, project, or activity) if—

(aa) an appropriation Act with respect to the program, project, or activity for the fiscal year during which the covered period occurs has not been enacted; and

(bb) the program, project, or activity has expired since the beginning of such fiscal year or will expire during the 30-day period beginning on the date of the motion;

(B) it shall not be in order to move to recess or adjourn for a period of more than 23 hours; and

(C) at noon each day, or immediately following any constructive convening of the Senate under rule IV, paragraph 2 of the Standing Rules of the Senate, the Presiding Officer shall direct the clerk to determine whether a quorum is present.

(2) WAIVER.—

(A) LIMITATION ON PERIOD.—It shall not be in order in the Senate or the House of Representatives to move to waive any provision of paragraph (1) for a period that is longer than 7 days.

(B) SUPERMAJORITY VOTE.—A provision of paragraph (1) may only be waived or suspended upon an affirmative vote of two-thirds of the Members of the applicable House of Congress, duly chosen and sworn.

(d) MOTION TO PROCEED TO APPROPRIATIONS.—

(1) IN GENERAL.—On and after the 30th calendar day after the first day of each fiscal year, if an appropriation Act for such fiscal year with respect to a program, project, or activity has not been enacted, it shall be in order in the Senate, notwithstanding rule XXII or any pending executive measure or matter, to move to proceed to any appropriations bill or joint resolution for the program, project, or activity that has been sponsored and cosponsored by not less than 3 Senators who are members of or caucus with the party in the majority in the Senate and not less than 3 Senators who are members of or caucus with the party in the minority in the Senate.

(2) CONSIDERATION.—For a bill or joint resolution described in paragraph (1)—

(A) the bill or joint resolution may be considered the same day as it is introduced and shall not have to lie over 1 day; and

(B) the motion to proceed to the bill or joint resolution shall be debatable for not to exceed 6 hours, equally divided between the proponents and opponents of the motion, and upon the use or yielding back of time, the Senate shall vote on the motion to proceed.

**SEC. 4004. BUDGETARY EFFECTS.**

(a) CLASSIFICATION OF BUDGETARY EFFECTS.—The budgetary effects of this division and the amendments made by this division shall be estimated as if this division and the amendments made by this division are discretionary appropriations Acts for purposes of section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 et seq.).

(b) BASELINE.—For purposes of calculating the baseline under section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 907), the provision of budgetary resources under section 1311 of title 31, United States Code, as added by this division, for an account shall be considered to be a continuing appropriation in effect for such account for less than the entire current year.

(c) ENFORCEMENT OF DISCRETIONARY SPENDING LIMITS.—For purposes of enforcing the discretionary spending limits under section 251(a) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(a)), the budgetary resources made available under section 1311 of title 31, United States Code, as added by this division, shall be considered part-year appropriations for purposes of section 251(a)(4) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(a)(4)).

**SEC. 4005. EFFECTIVE DATE.**

This division and the amendments made by this division shall take effect on September 30, 2023.

**SA 1233.** Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 1092 proposed by Mrs. MURRAY (for herself and Ms. COLLINS) to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division A, insert the following:

**SEC. \_\_\_\_ . REPORT ON DEPARTMENT OF VETERANS AFFAIRS INTEGRATED ENTERPRISE WORKFLOW SOLUTION SYSTEM.**

Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report containing the following:

(1) A description of efforts of the Secretary to secure personal identifiable information (PII) and private protected health information (PHI) within the Department of Veterans Affairs Integrated Enterprise Workflow Solution (VIEWS) system.

(2) A description of actions taken by the Secretary to secure other sensitive records of veterans within the system described in paragraph (1).

**SA 1234.** Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 1092 proposed by Mrs. MURRAY (for herself and Ms. COLLINS) to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division A, insert the following:

**SEC. \_\_\_\_ . REPORT ON GUIDANCE AND OVERSIGHT OF IMPLEMENTATION OF ELIGIBILITY FOR COMMUNITY CARE FROM DEPARTMENT OF VETERANS AFFAIRS DUE TO WAIT TIMES FOR CARE FROM A FACILITY OF THE DEPARTMENT.**

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Secretary of Veterans Affairs shall submit to the appropriate committees of Congress a report containing the following:

(1) A description of oversight efforts undertaken or quality assurance processes implemented to ensure accurate calculations are used at facilities of the Department of Veterans Affairs for the purposes of eligibility for community care due to wait times for care from a facility of the Department.

(2) A description of any inaccurate calculations identified and corrective actions that have been made with respect to such eligibility.

(3) A description of guidance or training undertaken to ensure that facilities of the Department correctly determine eligibility for community care from the Department due to wait times for care from a facility of the Department consistent with the designated access standards developed by the Secretary under section 1703B of title 38, United States Code.

(b) APPROPRIATE COMMITTEES OF CONGRESS.—The term “appropriate committees of Congress” means—

(1) the Committee on Appropriations and the Committee on Veterans’ Affairs of the Senate; and

(2) the Committee on Appropriations and the Committee on Veterans’ Affairs of the House of Representatives.

**SA 1235.** Mr. WARNOCK submitted an amendment intended to be proposed by him to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

On page 241, between lines 13 and 14, insert the following:

AVIATION WORKFORCE DEVELOPMENT PROGRAMS

For an additional amount for “Aviation Workforce Development Programs”, to enable the Secretary of Transportation to make grants for projects as authorized by section 625 of the FAA Reauthorization Act of 2018 (49 U.S.C. 40101 note) \$20,000,000, to remain available until expended: *Provided*, That amounts made available under this heading shall be derived from the general fund: *Provided further*, That of the sums appropriated under this heading—

(1) \$10,000,000 shall be made available for projects described in subsection (a)(1) of such section 625; and

(2) \$10,000,000 shall be made available for projects described in subsection (a)(2) of such section 625.

**SA 1236.** Mr. WARNOCK submitted an amendment intended to be proposed by him to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

On page 235, after line 20, add the following:

ALTERNATIVE FUEL AND LOW-EMISSION  
AVIATION TECHNOLOGY PROGRAM

For an additional amount for the “Alternative Fuel and Low-Emission Aviation Technology Program”, to enable the Secretary of Transportation to make grants for projects as authorized by section 40007 of Public Law 117-169 (49 U.S.C. 44504 note) \$703,000,000, to remain available until expended: *Provided*, That amounts made available under this heading shall be derived from the general fund: *Provided further*, That of the sums appropriated under this heading—

(1) \$489,258,000 shall be made available for projects described in subsection (a)(1) of such section 40007;

(2) \$209,682,000 shall be made available for projects described in subsection (a)(2) of such section 40007; and

(3) \$4,060,000 shall be made available to carry out subsection (a)(3) of such section 40007.

**SA 1237.** Mr. RUBIO submitted an amendment intended to be proposed by him to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II of division C, insert the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used by the Department of Housing and Urban Development to impose updated minimum energy efficiency standards for new housing financed by the Department as part of carrying out the notice entitled “Adoption of Energy Efficiency Standards for New Construction of HUD- and USDA-Financed Housing” (88 Fed. Reg. 31773 (May 18, 2023)).

**SA 1238.** Mr. RUBIO submitted an amendment intended to be proposed by him to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II of division C, insert the following:

SEC. \_\_\_\_\_. Notwithstanding any other provision of law, none of the funds made available by this Act may be used to administer a blood quantum test, DNA test, or any other medical or chemical test intended to determine an individual’s race or racial composition for the purposes of determining eligibility or level of program assistance for any program, sub-activity, or project funded by this Act.

**SA 1239.** Ms. ROSEN submitted an amendment intended to be proposed by her to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II of Division C, insert the following:

SEC. \_\_\_\_\_. Using amounts made available under this title for technical assistance that are not otherwise obligated, the Secretary may provide technical assistance to States and units of local government to support the efforts of States and local governments to—

(1) increase housing production and affordability; and

(2) provide forums for communities to share best practices, knowledge, and evidence-based expertise on ways to—

(A) cut red tape;

(B) reduce regulatory barriers to development;

(C) lower development costs; and

(D) deploy new technologies and innovations.

**SA 1240.** Mr. BOOKER (for himself and Mr. MURPHY) submitted an amendment intended to be proposed to amendment SA 1092 proposed by Mrs. MURRAY (for herself and Ms. COLLINS) to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

In the matter under the heading “FEDERAL-STATE PARTNERSHIP FOR INTERCITY PASSENGER RAIL” under the heading “FEDERAL RAILROAD ADMINISTRATION” under the heading “DEPARTMENT OF TRANSPORTATION” in title I of division C, strike “\$100,000,000” and insert “\$1,500,000,000”.

**SA 1241.** Mr. CRAMER (for himself and Mr. MANCHIN) submitted an amendment intended to be proposed to amendment SA 1092 proposed by Mrs. MURRAY (for herself and Ms. COLLINS) to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

In title I of division C, insert after section 127 the following:

SEC. 128. None of the funds made available by this Act may be used to finalize, implement, administer, or enforce the proposed rulemaking entitled “National Performance Management Measures; Assessing Performance of the National Highway System, Greenhouse Gas Emissions Measure” (87 Fed. Reg. 42401 (July 15, 2022)) or a successor regulation.

NOTICE OF INTENT TO SUSPEND  
THE RULES

Mr. LEE. Madam President, I submit the following notice in writing: In accordance with Rule V of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend Rule XVI and Rule XXII, including germaneness requirements and dilatory provisions, to offer the following amendments, either as floor amendments, or as motions to recommit with instructions: Vance No. 1125, Lee No. 1121, Cruz No. 1158, Rubio No. 1159, Marshall No. 1161, Braun No. 1182, Paul No. 1226, Paul No. 1217.

PRIVILEGES OF THE FLOOR

Mrs. BLACKBURN. Madam President, I ask unanimous consent that the following interns from my office be granted floor privileges for the rest of this Congress: Haylee Acton, Sedrie Orantes, and Madeleine Katz.

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

NATIONAL HISPANIC-SERVING  
INSTITUTIONS WEEK

Mr. SCHUMER. Madam President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 347, submitted earlier today.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 347) designating the week beginning on September 11, 2023, as “National Hispanic-Serving Institutions Week”.

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

Mr. SCHUMER. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and that the motions 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 resolution (S. Res. 347) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

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**GOLD STAR FAMILIES  
REMEMBRANCE WEEK**

Mr. SCHUMER. Madam President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 348, which was submitted earlier today.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 348) designating the week of September 24 through September 30, 2023, as "Gold Star Families Remembrance Week".

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

Mr. SCHUMER. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and that the motions 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 resolution (S. Res. 348) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

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**RECOGNIZING SEPTEMBER 11, 2023,  
AS A "NATIONAL DAY OF SERVICE  
AND REMEMBRANCE"**

Mr. SCHUMER. Madam President, I ask unanimous consent that the Com-

mittee on the Judiciary be discharged from further consideration and the Senate now proceed to S. Res. 334.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 334) recognizing September 11, 2023, as a "National Day of Service and Remembrance".

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

Mr. SCHUMER. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and that the motions 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 resolution (S. Res. 334) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of September 11, 2023, under "Submitted Resolutions.")

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**ORDERS FOR TUESDAY,  
SEPTEMBER 19, 2023**

Mr. SCHUMER. Madam President, finally, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 10 a.m. on Tuesday, September 19; that following the prayer and 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 upon the conclusion of morning business, the Senate proceed to executive

session to resume consideration of the Oliver nomination postcloture; further, that all time be considered expired at 11:30 a.m. and following the cloture vote on the Lin nomination, the Senate recess until 2:15 p.m. to allow for the weekly caucus meetings; that if cloture is invoked on the Lin nomination, all time be considered expired at 2:15 p.m. and that upon disposition of the Lin nomination, the Senate resume legislative session and the consideration of H.R. 4366; finally, that if any nominations are confirmed, 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.

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**ADJOURNMENT UNTIL 10 A.M.  
TOMORROW**

Mr. SCHUMER. Madam 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 7:07 p.m., adjourned until Tuesday, September 19, 2023, at 10 a.m.

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**NOMINATIONS**

Executive nominations received by the Senate:

**THE JUDICIARY**

JAMEL SEMPER, OF NEW JERSEY, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEW JERSEY, VICE JOHN MICHAEL VAZQUEZ, RESIGNED.  
MUSTAFA TAHER KASUBHAI, OF OREGON, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF OREGON, VICE ANN L. AIKEN, RETIRING.