



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 118th CONGRESS, FIRST SESSION

Vol. 169

WASHINGTON, TUESDAY, SEPTEMBER 26, 2023

No. 156

Senate

(Legislative day of Friday, September 22, 2023)

The Senate met at 3 p.m., on the expiration of the recess, and was called to order by the Honorable PETER WELCH, a Senator from the State of Vermont.

PRAYER

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

Let us pray.

Lord and King, You are forever. Send Your light and truth to guide our Senators. As they move into crisis mode in an attempt to avoid a government shutdown, give them insights that will help them solve the riddles of these times. Empower them to possess discernment in order to know what is right.

Lord, imbue them with a passion for truth that will compel them to do Your will. Strengthen them also with a humility that seeks to listen and learn. May they find joy in their work as they seek to please You. Remove from them discouragement and despair as You make them partners with You in building a nation where truth and justice will prevail.

We pray in Your powerful 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 senior assistant executive clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, September 26, 2023.
To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable PETER WELCH, a Senator from the State of Vermont, to perform the duties of the Chair.

PATTY MURRAY,
President pro tempore.

Mr. WELCH 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

SECURING GROWTH AND ROBUST LEADERSHIP IN AMERICAN AVIATION ACT—MOTION TO PROCEED—Resumed

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to proceed to H.R. 3935, which the clerk will report.

The senior assistant executive clerk read as follows:

Motion to proceed to Calendar No. 211, H.R. 3935, a bill to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes.

RECOGNITION OF THE MAJORITY LEADER

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

CONTINUING RESOLUTION

Mr. SCHUMER. Mr. President, as I have said for months, the only solution for avoiding a harmful government shutdown is bipartisanship. We now have 4 days to go until funding expires on Saturday at midnight. We are now right at the precipice. Yet, all last week, Speaker McCARTHY, instead of focusing on bipartisanship, catered to the hard right and has nothing—nothing—to show for it. And now the Speaker will put on the floor hard-right appropriation bills that have nothing to do with avoiding a shutdown.

So, this week, the Senate will move forward first. Over the weekend, Senate Democrats and Republicans together worked in good faith to reach an agreement on a continuing resolution that will keep the government open beyond September 30. We are very close to finishing our work and hope to release text very soon.

This bipartisan CR is a temporary solution, a bridge toward cooperation and away from extremism, and it will allow us to keep working to fully fund the Federal Government and spare American families the pain of a shutdown. While, for sure, this bill does not have everything either side wants, we will continue to fund the government at present levels while maintaining our commitment to Ukraine's security and humanitarian needs and while also ensuring those impacted by natural disasters across the country begin to get the resources they need.

In a few hours, we will hold the first procedural vote to move forward on the vehicle for the CR, and I thank my colleagues and staff from both sides of the aisle who spent all weekend negotiating in good faith to get us to this point. The Senate CR is a good, sensible, and bipartisan—let me emphasize, bipartisan—bill. It will achieve the most important immediate goal,

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



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avoiding a shutdown. It will protect American families from needless pain, pay our troops, and make good on our promise to American seniors. It will promote access to affordable healthcare, sustain investment in life-saving research, and avoid costly disruptions to our supply chains.

Now, of course, today's agreement won't have everything that both sides want. But let me repeat: This CR is a bridge, not a final destination. It will help us achieve our immediate and necessary goal of avoiding a government shutdown and move us away from the senseless and aimless extremism that has dominated the House so we can get to work on appropriations.

We can and must do more to respond to disasters that have ravaged the country. We can and must do more to lower costs and grow the middle class. We can and must do more to stand with our friends in Ukraine and resist Putin's dangerous attacks on democracy and freedom. And we can and must do more to finish the bipartisan appropriations process in a way that makes strong investments in our country, in our families, and in our future.

We will continue to work on these and many more, but, right now, this CR is a must-needed bridge away from extremism and toward cooperation. Make no mistake, a shutdown would be a terrible outcome for the country, despite what some on the hard right would have us ludicrously believe.

It is hard for me to believe that some on the extreme right in the other Chamber say they actually want a shutdown—what insanity. This will avoid that, that terrible outcome.

It will pay for our servicemembers, which could be halted if there is a shutdown. It would prevent millions of Americans who count on government services from suffering. It would prevent food safety, public health protection, small business loans, and infrastructure projects from being cut and, at least temporarily, ended, because they are all at risk right now, if there is a shutdown.

If there is a shutdown, TSA could be thrown into chaos, meaning possible delays and disruptions for all flyers. Border enforcement Agencies would be undermined. Even FEMA's Disaster Relief Fund could actually dry up.

We don't need to go through any of this. The Senate's bipartisan CR will ensure that none of the bad things I just enumerated happen. I urge—I urge strongly—reasonable Members of both Chambers to come together to pass this bridge CR and move forward, freed from the hard-right extremists who are hell-bent on destroying trust in government and hurting millions and millions of middle-class families.

UNITED AUTO WORKERS STRIKE

Mr. President, now on labor, the UAW, and the WGA, early this morning, before I came to Washington, I went to Rockland County, NY, and stood with UAW Local 3039 on the picket line in solidarity with their fight for

better wages, better benefits, safer working conditions. Rain or shine—and today it was mostly rain—UAW Local 3039 is out there, standing for a fair, equitable contract to share in the profits they helped create.

We must not forget that during the auto crisis of 2008, unions and workers gave back plenty. It is one of the reasons that the auto companies are making such large profits. And the workers are entitled to have a fair share of those profits. So we need to make sure the settlement is fair to working people.

It is simple: When unions win, workers win; the middle class wins; America wins. Just take the WGA strike—the Writers Guild—for example. This past weekend, after nearly 5 months on strike, the WGA announced a tentative settlement with Hollywood studios to get members back to work. The WGA deal proves that progress is possible, that workers can gain, and I hope it encourages the big three auto companies to stay at the table and bargain in good faith.

Today, in a milestone for the UAW strike and the history of working people in this country, President Biden traveled to Michigan today to stand with the UAW on the picket line. It is likely to be the first time in 100 years a sitting President joined workers on the picket line. It shows how important strong labor unions are to this President and to Democrats. That is why I thought it was appropriate for me this morning to join some of our New York UAW members on the picket lines in New York, as the President marched in Michigan.

President Biden's visit underscores a historic moment for the American labor movement. We may be on track to see the most labor activity in 40 years. And I am proud that so many of my colleagues on the Democratic side of the aisle have stood on the line with workers, fighting for a better life.

As President Biden said today, "The middle class built this country. And unions built the middle class." Praise God we have a President as pro-union and pro-worker as President Biden in office at a time like this. Of course, we weren't always so lucky. Former President Trump will also be in Michigan this week, where he will no doubt try to style himself as a champion of unions and working Americans. That is pretty rich coming from someone who led one of the most anti-worker administrations in recent memory, one openly hostile to labor unions, disinterested in the well-being of working families, and who appointed anti-labor people to many of the Agencies that regulate labor.

No working American should believe Donald Trump when he claims to fight for them. Where was Donald Trump when UAW went on strike against GM in 2019? All talk, no substance. Even now, he is openly attacking the UAW that is trying to secure better contracts.

The difference between the Biden administration's record on labor and the Trump administration's record couldn't be starker. Under the Biden administration, Democrats secured historic relief to protect hard-earned pensions through the American Rescue Plan. Under the Trump administration, on the other hand, Republicans reversed rules to expand overtime pay for 8 million workers, loosened infection and safety rules for oil rigs and coal companies, and reversed bans on toxic pesticides that protected farm workers.

Under the Biden administration, Democrats broke the nearly decade-long funding freeze on the National Labor Relations Board. But under the Trump administration, Republicans appointed the most anti-labor NLRB nominees, and they voted to make it harder for workers to organize, while making it easier for employers to oust existing unions.

Under the Biden administration, we passed historic bills, like the infrastructure bill, CHIPS and Science, and the Inflation Reduction, all of which are creating good-paying jobs. As majority leader, I made sure that pro-union provisions were written into this legislation. But under the Trump administration, Republicans passed a \$1.5 trillion tax cut that overwhelmingly benefited big corporations and the ultrawealthy, while giving peanuts to working families whom Donald Trump claimed to fight for.

So it easy to see who is really on the side of unions and working Americans and who isn't.

I was proud to stand with the UAW this morning, and I am proud that President Biden is standing with working people of this country today.

I yield the floor.

RECOGNITION OF THE MINORITY LEADER

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

GOVERNMENT FUNDING

Mr. McCONNELL. Mr. President, at midnight on Saturday, current appropriations will run out, and the Federal Government will shut down. Over the years, I have been pretty clear in my view that government shutdowns are bad news, whichever way you look at them. They don't work as political bargaining chips. They create unnecessary hardships for millions of Americans—for example, the nearly 46,000 servicemembers and 22,000 civilian workers in my home State of Kentucky who earn Federal Government paychecks—and they hardly ever produce meaningful policy outcomes at the end of the day.

A government shutdown would be an unnecessary disruption of the important work on the Senate's agenda. So I would urge each of my colleagues to work this week to avoid one.

For the past several months, Senator COLLINS, Senator MURRAY, and our colleagues on the Appropriations Committee have worked diligently to help the Senate fulfill our commitment to funding the government through regular order. As that important work

continues, colleagues in both Chambers are rightly concerned about a number of distinct priorities.

They are focused on taking further action to rein in reckless spending as we continue to rebuild our national defense. They are concerned about addressing the consequences of the Biden administration's failure to secure our southern border. They are eager to provide relief to communities recovering from natural disasters, from Hawaii to Florida. And bipartisan majorities recognize the ongoing need to counter Russia and China and continue to provide lethal aid to Ukraine. In the coming weeks, I hope the administration will work with Congress to address these pressing needs.

But in order for work on appropriations to continue uninterrupted, Congress needs to extend government funding by the end of this week. The sooner Congress keeps the lights on, the sooner these important conversations can resume.

The clearest path forward is a standard, short-term continuing resolution. Our work this week needs to produce the resources and flexibility to maintain essential government functions at their current rates of operation while progress on full-year appropriations continues.

Just to reiterate, delaying action on short-term government funding doesn't advance the ball on any meaningful policy priorities. Shutting the government down over a domestic budget dispute doesn't strengthen anyone's political position; it just puts important progress on ice, and it leaves millions of Americans on edge.

So I expect that the Appropriations Committee will finalize a short-term funding extension in the very near future for the Senate to review. I would encourage each of our colleagues to join me in supporting the standard, responsible step forward.

The ACTING PRESIDENT pro tempore. The Democratic whip.

MR. DURBIN. Mr. President, I want to join the Republican leader, as well as the Democratic leader, with our hopes that we can still rescue the situation on Capitol Hill before the deadline. We have an impending government shutdown that is only 5 days away.

The House Republicans on the other side of the Rotunda have not taken on their responsibility at this moment, and we are doing our best on a bipartisan basis to do the opposite. Extreme factions of the Republican Party continue to list their demands for reckless cuts and partisan proposals in exchange for keeping the lights on in the Federal Government. In doing so, their radical agenda is holding the livelihood of the American people and the proper functioning of our government hostage.

House Republicans' proposals, which some of their own Members don't even agree with, would cut millions of dollars from public health, childcare, education, food safety, law enforcement,

housing, and more. These cuts would create uncertainty for hard-working families across the country, and they would put our national security and economic well-being at risk.

Instead of negotiating in good faith, House Republicans are willing to put the country through the pain of a shutdown. Now, we have had shutdowns before. I remember them well—2013, 2018, and now the threat of one in 2023. It appears to be a 5-year cycle. The shutdowns in 2013 and 2018 reduced economic output and GDP growth by projections in the billions. They forced Federal employees to go without checks, to either work without pay or be furloughed, and that included our military at the time. Servicemembers would not be paid until Congress funds the government. That would mean missed paychecks and strained household budgets for the duration of a shutdown, until extreme MAGA Republicans felt their demands had been met.

Take one Agency for example—the National Institutes of Health, the premier medical research Agency in the world. They would have to delay new clinical trials during a government shutdown, stalling critical medical research on diseases like cancer and Alzheimer's.

A shutdown would halt training of 2,600 air traffic controllers at a time when our country desperately needs them, and the air traffic controllers already on the job would have to work without pay. How would you like to have the pressure of that job and in the back of your mind wonder if you are going to make your mortgage payment? That would potentially lead to delays, longer wait times for those traveling, as we have seen in past shutdowns. The same goes for TSA.

The shutdown would delay major infrastructure projects that were created by the bipartisan infrastructure bill.

It could jeopardize the benefits of more than 6 million American participants in the Special Supplemental Nutrition Program for Women, Children, and Infants, including 170,000 in my home State of Illinois.

Public housing operations and housing choice voucher subsidies could be at risk of running out of funding.

A shutdown could deplete relief funds and slow emergency responses in the case of natural disasters. We have seen evidence of plenty of those.

In short, it would be nothing less of a disaster for the economy and for American families for this handful of MAGA Republicans to stop the funding of our government.

Here in the Senate, we have taken a bipartisan approach to the task of keeping our government funded.

I have served on the Senate Appropriations Committee for a number of years, and I have watched carefully as the procedure of that committee—one of the most important committees in the Senate—has changed.

For the last almost 5 years, we have gone without a meaningful, bipartisan

effort to write budget bills, and we have taken from the Members the opportunity on the floor of the Senate to actually review those bills and make amendments.

It is our good fortune that the leaders in the Senate Appropriations Committee currently are two of the best. One of the best Democratic Senators and legislators, PATTY MURRAY, of Washington, chairs the Appropriations Committee. Her ranking Republican member, SUSAN COLLINS, of Maine, is another extraordinary legislator. What they managed to achieve so far in the Appropriations Committee is a tribute not only to their skill but also a tribute to bipartisanship.

They have reported out all 12 appropriations bills to the floor of the U.S. Senate for consideration on the floor for the first time in 5 years. Instead of a massive package called an omnibus, they were leading us toward individual appropriations bills and an amendment process on the floor we haven't seen for a long, long time. Unfortunately, it was set aside by one Republican Member last week, but we haven't given up on the notion of making this bipartisan.

I heard earlier a statement made by the Democratic leader in the Senate that there were negotiations through the weekend for a temporary spending bill. I hope that spirit continues when it comes to the appropriations bills. I am sure with Senators MURRAY and Collins working on it, we have a good possibility.

Now we recognize, more than ever before, the need to keep the lights on in Washington on Capitol Hill. This week is going to be our test. What must be top of mind in any compromise is keeping the Federal employees paid, their families fed, keep the economy moving forward, keep our affairs in order so that our adversaries know that the United States of America can actually fund its own government.

That is why here in the Senate we are going to consider a bipartisan continuing resolution to keep the government open at current funding levels while we work toward a longer term answer.

Instead of considering a similar, serious short-term proposal to prevent a shutdown, some House Republicans are now trying to consider 11 individual appropriations bills before Sunday. Let me tell you, the track record doesn't look so good. Speaker MCCARTHY has already pulled down more than one vote on the defense spending bill, despite the fact his own party actually drafted the bill. They drafted the bill, then they couldn't pass it with their own members of the House.

I am not sure what his plan is. But in the Senate, ours is to prevent a government shutdown and have an orderly process of spending bills considered by the Senate. We owe it to every American family to do our jobs and to do it in a timely, respectful manner.

I urge my colleagues in the House to put the needs, well-being, and livelihood of Americans above any partisan loyalty. I am committed to working with my colleagues to prevent a shutdown. I look forward to the Senate considering a continuing resolution that does just that.

UNITED AUTO WORKERS STRIKE

Mr. President, on a separate topic, I heard my colleague earlier, Senator SCHUMER, talk about visiting a picket line for the United Auto Workers this morning. I did the same thing yesterday morning in Bolingbrook, IL, where UAW local warehouse workers were out on the line drinking coffee and eating a few donuts, holding their signs that said “solidarity” with their union. I wanted to walk over there and be with them at this moment.

You have to understand, when a worker like a UAW worker goes on strike, they are really walking away from their regular paycheck and receiving emergency pay from the unions, which, historically, has never quite been the same or as much. The same thing is true when it comes to the medical benefits. They may lose the coverage they had in the workplace and have the union program that is an alternative that doesn't provide the same level of benefits.

What I am trying to get to is the bottom line is, these strikes are personal, and families sacrifice on behalf of the workers.

Why would they do that? Why would they walk off the job, stand in the cold or outside weather from time to time like this? Because there is more at stake than their own personal well-being. They are fighting not only for their fellow members of the union, they are fighting for working people all over the United States.

The organized labor movement—which I was happy to be a childhood union family growing up—really made a difference in the life of America. The 40-hour work week, overtime, vacation, healthcare benefits, pension—virtually every one of those elements that are part of a modern job—a good modern job—were fought for and sometimes died for by those who were working in the labor movement in the earliest stage.

The UAW is a good example. It was back in the forties when a young fellow named Walter Reuther decided to make the UAW a viable force in Detroit, MI. There was the famous confrontation at a River Rouge plant where the UAW workers were on strike and violence broke out. Some people were seriously injured. Those sacrifices were made, and America changed as a result of it.

Now the modern struggle of the UAW is not unlike that of the forties. The President of the UAW, Mr. Fain, came by my office several times to talk about his goals. He made it clear—and we all knew the answer—that when it came to the question of the survival of these automobile makers in 2008 when the economy plunged, it was the work-

ers who stood up and said: We will make sacrifices and changes so that these companies can survive. Some people, even those on the floor of the Senate, were arguing: Let them go. That is capitalism. There are winners and losers.

But President Obama and I and many others felt just the opposite. Automobile manufacturing is a critical part of the American economy. President Obama was determined to keep those companies alive during that period of time. UAW did its part, and it did it well. They sacrificed wages and benefits. They said that the new workers would get paid dramatically less than those who had been there for years, and they literally saved those companies.

Now those companies are profitable to the tune of billions of dollars a year. What the UAW is saying is, for goodness' sake, make sure the workers are part of the success. Don't let them read in the papers how much the company is making while they are breaking their backs to make the products that are successful.

That is what the strike is all about. There was a time not that long ago in the early sixties when the executives of automobile companies and similar corporations were making about 30 times the wages of those who were working on production lines. Now the number is 500 times. The three executives who lead the automobile manufacturers all make over \$20 million a year, each and every one of them. I believe the one from General Motors makes \$29 million a year. Meanwhile, the wages for the executives have gone up 40 percent in the last 5 years and for the workers, 6 percent. So there is a disparity there that needs to be addressed and done fairly.

We want to make sure that the companies are profitable—they build products we are proud of. But we want to make sure the workers who are sacrificing every single day share in that profitability, share in that productivity. And they can do it if they are part of the contract that is now being negotiated.

I was out there on the line for about a half hour yesterday, standing along with the workers and encouraging the workers to be strong during this period. It is a time of personal sacrifice, but it is well worth it, not only for sisters and brothers in the union but workers all over America who prosper with the achievements made by the UAW.

I am proud to have had their support over the years, and I am proud to stand with them in this time of challenge.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee.

BIDEN ADMINISTRATION

Mrs. BLACKBURN. Mr. President, in March of 2021, I came to the floor and spoke about Xavier Becerra's abysmal record before voting to confirm him as Secretary of Health and Human Services. Here is what I pointed out to my

colleagues: He had no meaningful experience in public health, no meaningful experience in running a large-scale logistical operation, and a career's worth of hostility toward basic constitutional rights. My colleagues across the aisle didn't listen on this, and now his record as Secretary is worse than anyone could have imagined or predicted.

My colleagues who helped confirm him entrusted him with the lives of some of the world's most vulnerable children. Unaccompanied minors who are apprehended by Border Patrol are transferred to the care of Health and Human Services. This is clearly a big job considering that the Biden border crisis has led to over 300,000 encounters with unaccompanied children at our Nation's southern border. I am sure that these precious children thought they would finally be safe under the care of Health and Human Services and the sponsors they were ultimately going to be released to.

But Secretary Becerra proved what we already knew; that he was not up to the challenge of such a large Department with such expansive authority and that he had no experience that was relative.

Without explanation, HHS loosened the vetting requirements for sponsors, eliminating certain background checks and reviews of the children's files. Since then, HHS has lost contact with more than 85,000 of these children.

Back in February, the New York Times released a horrific exposé showing how these children have since been trafficked and exploited for labor—and these are only the stories of the children that the reporters could find.

Think about the enormity of the situation: 85,000 children. They cannot locate them. They do not know who is in charge of them. They do not know if they are dead or alive. They do not know if they are working in a processing plant or a manufacturing plant, or if they are being trafficked for sex, or if they are in a labor gang, because they cannot find these children.

And they decided to loosen the vetting requirements: Vetting takes too long. We need to speed up the process.

That is the mess that we find coming from Health and Human Services and its Secretary, Chief Officer Becerra.

If you have any doubt that Mr. Becerra has direct knowledge of this crisis, look no further than his own words. That same New York Times report referenced an audio recording taken during a staff meeting with the Office of Refugee Resettlement. That is a department within Health and Human Services.

When Becerra was admonishing his staff about their lack of speed in vetting sponsors and discharging these children into their care, he said:

If Henry Ford had seen this in his plants, he would have never become famous and rich. This is not the way you do an assembly line.

If that doesn't convince you, listen to the whistleblowers who begged HHS

leadership to listen. HHS employees on the ground noticed alarming signs of exploitation and raised it to their supervisors. “This is urgent,” one wrote. She was ignored.

Again and again, staffers and contractors told HHS something was wrong, and the reports allegedly reached Secretary Becerra’s desk. Even the senior staffer overseeing the unaccompanied minors program noted in an email to the Department’s leadership:

If nothing continues to be done, there will be a catastrophic event.

These reports were not just ignored. Those who spoke up were retaliated against. They were fired. They were silenced.

Think about this. You are working in a Department. You see things are going wrong. You hear the chief guy say:

If Henry Ford had seen this in his plants, he would have never become famous and rich. This is not the way you do an assembly line.

You report it. You say: Things aren’t right here. Children are being exploited. They are being used for labor. They are being used for sex. We cannot find these children. Nothing has been done.

Don’t just take my word for it. That is according to a report from the Health and Human Services inspector general.

When Secretary Becerra appeared before the Senate Finance Committee back in March, I asked him what he knew about the exploitation of these children and when he knew it. Unsurprisingly, he evaded that question. I didn’t get an answer. So after the hearing, I wrote him a letter asking again about his knowledge of these neglected and lost children and what role he had in firing the very people who were trying to sound the alarm and say that something needs to be done.

I didn’t hear a word until September 8, and the response I got from HHS was a little more than an outline of their failed policies. They did not answer a single one of the questions about the Secretary’s involvement in the decision-making process of what needed to be done to go find 85,000 children—not a word. So I sent a followup letter, giving the Secretary one more chance to answer the questions.

The Senate has a duty to conduct oversight, and I take that responsibility and that duty seriously. The Secretary should take this responsibility and his duty to respond to us seriously.

Where are these children? How are you vetting these children?

I had really hoped that my friends across the aisle—for all of their talk about compassion and trying to be compassionate to individuals and looking at border policies—that they would take this responsibility seriously as well. But our Senate Judiciary Committee Democrats seem content with distracting and deflecting from the crisis of leadership that is occurring over at Health and Human Services.

In a hearing back in June that was supposedly intended to “ensure the well-being of unaccompanied migrant children,” Chairman DURBIN didn’t call a single government witness to testify about what is happening with these unaccompanied alien migrant children.

We cannot just turn a blind eye or try to sweep this under the rug. We are talking about children—children who are in a strange country, children who do not have an adult to look after them, children who maybe were lured here on a false premise.

This is something our Judiciary Committee and Chairman DURBIN should take up. We should bring the Secretary in and find out what is happening at Health and Human Services with the Office of Refugee Resettlement and with these children.

I said it back in 2021, and I will say it again. Secretary Becerra is not fit to serve as the HHS Secretary, and his continued disregard for the lives of these children—the nonresponse on answering these questions—proves that point.

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.

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

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

CONTINUING RESOLUTION

Ms. COLLINS. Mr. President, I rise tonight to urge my colleagues to support cloture on the motion to proceed to the FAA authorization bill.

Now, let me explain what this is about. The vote to get on the shell legislation is simply a vote to move the process forward to prevent a disastrous government shutdown. It does not indicate support or opposition to any particular component of a continuing resolution. It does not bind Members to vote one way or the other on a continuing resolution.

What this really is, is a vote on whether or not Members want government to shut down at the end of this week. It does indicate, in the strongest possible terms, that the Senate is committed to working to prevent a government shutdown. We still have time to consider legislation to keep the government open and funded, but in order to do so, the process must move forward.

I would ask all Senators who wish to avoid a shutdown of government and all that that entails to vote yes on cloture. Again, let me stress that voting yes on cloture tonight is a vote against a government shutdown and for letting the process move forward. It is just the first step. It does not bind Members to support the continuing resolution and to support every provision in the continuing resolution.

Now, what happens if we don’t move forward tonight? We are increasing the

chances that government will shut down. I have been through two government shutdowns, and I can tell you, they are never good policy. They do not accomplish the goals that people who advocate government shutdowns think will be accomplished, and they impose real hardship.

Don’t we want our military to be paid on time? Don’t we need paychecks going to those brave Border Patrol agents who are overwhelmed in trying to defend our southern border? Don’t we want the Coast Guard, an entity very important to the Presiding Officer as well as to my State of Maine, to be able to continue to rescue our fishermen and patrol our seas, intercepting drug smugglers? Don’t we want the DEA to be able to continue to work to keep fentanyl out of our communities?

The stakes are very high. I hope that all of my colleagues will vote to proceed to this shell bill tonight so that, then, we can debate the continuing resolution to fund government until the middle of November. That will allow us to continue our work on the appropriations bills. That is so important.

The Appropriations Committee, for the first time in 5 years, reported all 12 of the appropriations bills independently and with overwhelming bipartisan support. Three of them are in a package that is before us, that were on the floor all last week and have been just put aside temporarily so that we can work on the continuing resolution.

And my hope is, during that 45-day period when the continuing resolution is keeping government functioning at the levels that are needed, that we can continue our progress on the appropriations bills, bringing them across the floor. We have already cleared some 20 amendments to the three-bill package that the appropriators brought to the floor. Those 20 amendments will receive rollcall votes.

So we are making progress. Let’s not stop that progress by shutting down government and causing tremendous hardship to our military, to our law enforcement officers, to those who are serving Americans through so many different Agencies. Let’s not have that happen.

Please, I implore my colleagues, let’s proceed by voting yes on the motion to invoke cloture tonight.

The PRESIDING OFFICER (Mr. MARKLEY). The Senator from Vermont.

Mr. WELCH. First, I want to thank Senator COLLINS and assure her that I appreciate the excellent work that she and Senator MURRAY have been doing, and I will be a vote for cloture so that we can proceed.

Mr. President, Vermont is one of the States that suffered devastating damages as a result of recent floods and very much is in need of the replenishing of the FEMA disaster aid fund.

As a Congress, as a Senate, our leaders, Senator McCONNELL and Senator SCHUMER, and our Appropriations chair and vice chair, Senator MURRAY and Senator COLLINS, have been working

very hard to get a continuing resolution passed so that we will keep the lights on in government.

And we can't shut down. Just think about it. Military people won't get paid. That is just absolutely unacceptable. Start there, and the cascade of terrible things that are all avoidable will happen.

I am very appreciative of the efforts of our leadership, especially our committee chair and vice chair, for their work to avoid a shutdown. I am totally committed to avoiding a shutdown. It is unacceptable to inflict so much unnecessary harm on so many innocent people because of a crackpot theory that if you shut things down and burn the place down, it is going to result in a good outcome.

There are no good outcomes, as Senator MCCONNELL said earlier, when you use as a tactic to try to get your way to shut the government down.

So I will be supportive of the efforts on a bipartisan basis here to work toward a resolution. It is still very much in play as to what is going to happen to the FEMA money that is so essential to people who have suffered as a result of natural disasters.

I talk about Vermont, of course—and I will do that right now—but I am very mindful that my colleagues in Hawaii suffered that devastating fire in Maui, and, of course, we have had hurricanes and storms in Texas, in North Carolina, in Georgia, in Florida. So one thing all of us should be doing is helping each other when our citizens are the victims of a natural disaster.

So the No. 1 priority is to keep the lights on because we are going to fight another day. No. 2, my hope, is that there is still time to include aid for the Federal Emergency Management Agency to help us in Vermont, to help folks in Hawaii, to help folks in North Carolina, Georgia, Florida, and elsewhere.

But I want to talk a little bit about what the situation is in Vermont. We remember the iconic photo that was broadcast nationwide of the downtown of the capital city of Vermont, Montpelier, underwater. The water is gone now. It has dried up.

This is a local business in Montpelier, and that is the Minikin toy shop in Montpelier. The water was up to here. This is now gone, but the question is—this shop, the Minikin toy shop, where I bought things for my grandkids—Kelly Tackett, the owner, she spoke with the Burlington Free Press about the flooding in her toy store. And she said:

This was my lifelong dream shop. Those photos [of the flooding] make me realize this is likely the end of Minikin. I worked so hard to bring it to life.

She really needs a second chance here, and our FEMA funding can make a difference. I visited and spoke with her and her young family as they were cleaning up the shop right after the flood.

Cabot, VT, is a small community, the home of Cabot cheese. It is at the head-

waters of the Winooski River, and all of the businesses in the town were hit by flooding. The owners of Harry's Hardware, which also serves—this is a real Vermont story—as a bar and the town's only gas station, were trapped in the building by the floodwaters, which rose from a trickle to a flood within minutes.

Vermont is still dealing with major infrastructure damage. There were more than 1,100 damage sites on roads and bridges in the State, causing significant challenges for commuting in rural areas due to unclear information on closures. We are still dealing with the recovery from that.

Over 12 million pounds of debris from the flooding have been cleared, and the community has stepped up to extract it, as seen on Flood Recovery Day, where volunteers cleaned up over 100,000 pounds in 1 day. But there is still much more to go. Other key components of Vermont's infrastructure and economic drivers—railways, rail and hiking trails, ski resorts—suffered damage and need to be repaired.

For the vast majority of these business owners, the disaster recovery loans offered by the Small Business Administration, they are not a financial reality; it will only force folks into more debt. They need grants. They need flexibility. They need options.

I want to thank my senior Senator, my colleague Senator SANDERS, who convened a meeting with the FEMA Administrator, with Governor Scott, and Congresswoman BALINT. But the Administrator, Criswell—who is doing a terrific job, by the way, and Vermonters thank FEMA for their great work—she was very candid that the FEMA fund is running on vapors. It needs to be replenished.

So as tough as the situation is—and I do agree we have to avoid the shutdown—my hope is that, before the end of the day, we will be able to have included FEMA relief to replenish that fund and make certain that the good work that FEMA is doing can continue.

It is really a basic question here: No. 1, do we use shutdown threats and shutdown reality as a tactic? We, in this body, have rejected that.

And the second is, do we find a way to make certain that when citizens throughout our country—not just Vermont or Hawaii but any citizens—who are in harm's way when a natural disaster occurs, that we are here so they can count on us to help them get to the other side?

We have an opportunity to begin the process of keeping government functioning and rejecting the politics of shutdown threats. And we have the opportunity to work together again to replenish the FEMA disaster relief—the farm relief—that is so essential so that our citizens who have been in harm's way can get the recovery funds that they need.

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.

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

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

Mrs. MURRAY. Mr. President, I ask unanimous consent to complete my remarks before the vote is called at 5:30.

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

Mrs. MURRAY. Mr. President, I have been working nonstop, reaching out to my colleagues, who have heard from me all hours of the day and night this past weekend, to put together a straightforward, bipartisan CR package that we can pass quickly to prevent a completely unnecessary government shutdown.

I am pleased to say the senior Senator from Maine and I have put together a bill that keeps our government funded while we continue to work on full-year appropriations. It provides critical dollars for communities that are struck by disasters and Ukraine, which is at a pivotal moment in its defensive efforts against Putin's brutal, unprovoked war of aggression. These are important downpayments as we continue to work now on a full-year bill, but we have more to do.

Importantly, this CR also ensures that wildland firefighters will not see a pay cut. It prevents critical laws from lapsing to make sure the FAA and community health centers can continue operating and more.

I hope that all of our colleagues in the Senate and the House will work with us to get this signed into law as soon as possible so we can avoid a shutdown that would be nothing short of devastating for our economy and for families everywhere.

This should not be hard. We have a simple, bipartisan CR, a truly reasonable bill. We have the support to get it signed into law if it is put up for a vote in both Chambers. We do not have a moment to waste. Let's get this done and get right back to work on passing the 12 bipartisan appropriations bills that are ready to come to the Senate floor.

Mr. President, I am here tonight to urge a "yes" vote on the motion to invoke cloture.

The PRESIDING OFFICER. The majority leader.

Mr. SCHUMER. Mr. President, let me first thank the Senator from Washington State, the chair of Appropriations. We worked together so hard and diligently over the weekend, and we produced a result, I think, that shows that bipartisanship can triumph over extremism. Here in the Senate, we are bipartisan. I want to thank Leader MCCONNELL. He worked with us throughout. I want to thank Ranking Member COLLINS. They worked with us throughout because we all know, together, that a government shutdown will be devastating—devastating—for this country.

It amazes me that some in the other body—just an extreme few—say they want a shutdown. That hurts tens of millions, hundreds of millions of Americans for only some kind of ideological political purpose. But we said no. The funding levels continue at the same level as before.

There is \$6.1 billion for Ukraine on the defense side and on the—on the State Department side. There is \$6 billion for disaster relief. On all of these, this is a bridge towards cooperation. This is not going to be the final proposal for the whole year. But to avoid a government shutdown, we needed a bridge. It is a bridge toward cooperation and away from extremism, which will allow us to keep working to fully fund the Federal Government and spare families the pain of a shutdown.

Let us hope that we get many people on both sides of the aisle voting for this product and that the House understands that bipartisanship there is the only way to go to avoid a shutdown.

I yield the floor.

CLOUTURE MOTION

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

The legislative clerk read as follows:

CLOUTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII, the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 211, H.R. 3935, a bill to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes.

Charles E. Schumer, Patty Murray, Jack Reed, Benjamin L. Cardin, Martin Heinrich, Robert P. Casey, Jr., Tina Smith, Alex Padilla, Christopher A. Coons, Jeanne Shaheen, Tim Kaine, Mark R. Warner, Richard Blumenthal, Christopher Murphy, Chris Van Hollen, Debbie Stabenow, Gary C. Peters.

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 H.R. 3935, a bill to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes, 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 California (Mrs. FEINSTEIN) and the Senator from Minnesota (Mrs. SMITH), are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Idaho (Mr. RISCH) and the Senator from South Carolina (Mr. SCOTT).

The yeas and nays resulted—yeas 77, nays 19, as follows:

[Rollcall Vote No. 240 Leg.]

YEAS—77

Baldwin	Crapo	Lankford
Barrasso	Duckworth	Luján
Bennet	Durbin	Manchin
Blumenthal	Ernst	Markey
Booker	Fetterman	McConnell
Boozman	Gillibrand	Menendez
Brown	Graham	Merkley
Cantwell	Grassley	Moran
Capito	Hassan	Mullin
Cardin	Heinrich	Murkowski
Carper	Hickenlooper	Murphy
Casey	Hirono	Murray
Cassidy	Hoeven	Ossoff
Collins	Hyde-Smith	Padilla
Coons	Kaine	Peters
Cornyn	Kelly	Reed
Cortez Masto	Kennedy	Romney
Cotton	King	Rosen
Cramer	Klobuchar	Rounds

Rubio	Sullivan	Warren
Sanders	Tester	Weich
Schatz	Thune	Whitehouse
Schumer	Tillis	Wicker
Shaheen	Van Hollen	Wyden
Sinema	Warner	Young
Stabenow	Warnock	

NAYS—19

Blackburn	Hagerty	Ricketts
Braun	Hawley	Schmitt
Britt	Johnson	Scott (FL)
Budd	Lee	Tuberville
Cruz	Lummis	Vance
Daines	Marshall	
Fischer	Paul	

NOT VOTING—4

Feinstein	Scott (SC)
Risch	Smith

(Mr. KING assumed the Chair.)

The PRESIDING OFFICER (Mr. KELLY). The yeas are 77, the nays are 19.

The motion was agreed to.

The PRESIDING OFFICER. The majority leader.

Mr. SCHUMER. Mr. President, I am very glad to see cloture was adopted by a very large, bipartisan majority. This shows we can work together, even with our differences, for the betterment of the country. I hope the House follows suit.

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”—Veto

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”—Veto

Mr. SCHUMER. Mr. President, I ask unanimous consent that the veto messages on S.J. Res. 9 and S.J. Res. 24 be considered as having been read and be printed in the RECORD and spread in full upon the Journal.

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

The veto messages are ordered to be printed in the RECORD as follows:

To the Senate of the United States:

I am returning herewith without my approval S.J. Res. 9, a joint resolution that would disapprove the final rule entitled “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.”

The final rule, issued by the United States Fish and Wildlife Service (USFWS), provides Endangered Species Act (ESA) protections to an American bird species whose historical habitat on the Great Plains has diminished by approximately 90 percent and whose populations have plummeted toward disappearance. Following a rigorous review of the best available scientific and commercial information regarding the past, present, and future threats, as well as ongoing conservation efforts, the USFWS listed the Southern Distinct Population Segment of the lesser prairie-chicken as endangered, and the Northern Distinct Population Segment of the lesser prairie-chicken as threatened. The rule also affirms and protects locally led and crafted voluntary conservation agreements that landowners and land managers have developed in recent years, which provide certainty for industry as well as safeguards for prairie-chicken populations.

S.J. Res. 9 would overturn a science-based rulemaking that follows the requirements of the law, and thereby undermines the ESA. The lesser prairie-chicken serves as an indicator for healthy grasslands and prairies, making the species an important measure of the overall health of America’s grasslands. If enacted, S.J. Res. 9 would undermine America’s proud wildlife conservation traditions, risk the extinction of a once-abundant American bird, and create uncertainty for landowners and industries who have been working for years to forge the durable, locally led conservation strategies that this rule supports.

Therefore, I am vetoing this resolution.

JOSEPH R. BIDEN, Jr.
THE WHITE HOUSE, September 26, 2023.

To the Senate of the United States:

I am returning herewith without my approval S.J. Res. 24, a joint resolution that would disapprove the final rule entitled “Endangered and Threatened Wildlife and Plants; Endangered Species Status for Northern Long-Eared Bat.”

The final rule, issued by the United States Fish and Wildlife Service (USFWS), provides Endangered Species Act (ESA) protections to the northern long-eared bat, whose populations have been heavily impacted by white-nose syndrome. The northern long-eared bat now faces extinction due to white-nose syndrome, a deadly disease that has spread across approximately 79 percent of the northern long-eared bat’s entire range and is expected to affect 100 percent of the species’ range by the end of the decade. Data indicate white-nose syndrome has caused estimated declines of 97 to 100 percent in affected northern long-eared bat populations. Following a rigorous review of the best available scientific and commercial information regarding the past, present, and future threats, as well as ongoing conservation efforts, the USFWS listed the northern long-eared bat as an endangered species under the ESA.

S.J. Res. 24 would overturn a science-based rulemaking that follows the requirements of the law, and thereby undermines the ESA. Bats are critical to healthy, functioning ecosystems and contribute at least \$3 billion annually to the United States agriculture economy through pest control and pollination. If enacted, S.J. Res. 24 would undermine America's proud wildlife conservation traditions and risk extinction of the species.

Therefore, I am vetoing this resolution.

JOSEPH R. BIDEN, Jr.
THE WHITE HOUSE, September 26, 2023.

Mr. SCHUMER. I ask unanimous consent that notwithstanding rule XXII, the veto messages with respect to S.J. Res. 9 and S.J. Res. 24 be considered at times to be determined by the majority leader in concurrence with the Republican leader prior to October 4; that there be up to 2 hours for debate equally divided between the two leaders or their designees on each resolution; that the Senate then vote on passage of each joint resolution, the objections of the President to the contrary notwithstanding.

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

RESOLUTIONS SUBMITTED TODAY

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the en bloc consideration of the following Senate resolutions: S. Res. 365, S. Res. 366, S. Res. 367, S. Res. 368, and S. Res. 369.

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

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

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

The resolutions were agreed to.

The preambles were agreed to.

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

MORNING BUSINESS

50TH ANNIVERSARY OF THE REHABILITATION ACT

Ms. DUCKWORTH. Mr. President, I rise today to highlight the importance of the Rehabilitation Act and to recognize the law's significance as we celebrate its 50th birthday today.

The Rehabilitation Act prohibits discrimination against people with disabilities in programs that receive Federal funding. It helped lay the foundation for the Americans with Disabilities Act, which wasn't signed into law until almost two decades later. But aside from that, the anniversary of the Rehabilitation Act also serves as a re-

minder that we are where we are now because of the sheer willpower of disability activists from across the country—activists like my late friend Judy Heumann, whom I can't help but remember today.

Even though the Rehabilitation Act was signed into law in 1973, it was not implemented until 4 years later, and that was only after hundreds of disabled activists sat in and occupied Federal buildings across the country. At San Francisco's sit-in, which lasted for weeks, protestors like Judy refused to be moved. Authorities shut off the phone lines. They shut off the water so those protesting went thirsty. But our community stuck together and stayed strong. I am grateful these dedicated activists persisted despite difficult obstacles, and their persistence and determination should inspire our country to push further towards achieving the ultimate goal of full accessibility and inclusion.

People with disabilities continue to face discrimination every day. From lack of access to healthcare, to disparately low employment rates; from inaccessible websites and official documents, to suffering the indignity of having airlines destroy wheelchairs and assistive equipment on flights, our Nation must push past complacency and work to ensure the letter and spirit of the Rehabilitation Act and Americans with Disabilities Act are applied to all aspects of life in the 21st century.

Our community is already more than 61 million strong—a number that will continue to grow in the years ahead—because the truth is that every American is just 1 day away from becoming disabled and everyone should hope to live long enough that they eventually gain some sort of disability. Our Nation's laws and policies should reflect that. That is one reason why I am proud that the Centers for Medicare and Medicaid Services acted on my request that Medicare finally cover seat elevation systems in power wheelchairs. It is why I am proud that the Government Accountability Office agreed to study health disparities experienced by people with disabilities. And it is why I will keep working with the disability community to honor and carry on the work of Judy and all the advocates, activists, and allies who helped get us to this point.

So here is to 50 years of the Rehabilitation Act and to everything we do in the next 50.

REMEMBERING THOMAS HUGH SEYMOUR

Mr. VAN HOLLEN. Mr. President, I rise today in tribute to the late Thomas Hugh Seymour for his service to the Occupational Safety and Health Administration and the Office of Congressional Workplace Rights.

Mr. Seymour's illustrious career spanned two decades as the OCWR Fire Protection Engineer and Safety and

Health consulting expert. His journey was marked by the highest levels of dedication, expertise, and passion for workplace safety, and his work has helped to save lives. Prior to his role at OCWR, Mr. Seymour had a distinguished career at OSHA, where he ascended to the position of Deputy Director for the Directorate of Safety Standards Programs. During his tenure at OSHA, Mr. Seymour played an instrumental role in shaping and drafting critical safety standards that have since become integral to safeguarding workplaces nationwide. He was an advocate for safer working conditions and a guardian of fire safety. This year, Mr. Seymour received a posthumous Safety Advocate Award from the Office of Congressional Workplace Rights and National Safety Council.

I offer my heartfelt gratitude to Mr. Seymour's family for his service and also recognize all the distinguished recipients of the Office of Congressional Workplace Rights' 2023 Safety Recognition Awards. May their dedication continue to guide us as we strive to create workplaces that are safe and accessible.

ADDITIONAL STATEMENTS

RECOGNIZING DUNLAP LIVESTOCK AUCTION, INC.

• Ms. ERNST. Mr. 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 Dunlap Livestock Auction of Dunlap, IA, as the Senate Small Business of the Week.

The Schaben family's involvement in Dunlap Livestock Auction began in 1948 under Jim Schaben, Sr., who served as manager of the livestock auction. Two years later, in 1950, Jim Schaben, Sr., purchased Dunlap Livestock Auction with his wife Ruth. Jim is a 1945 graduate of the Reppert School of Auctioneering in Indiana following his honorable service in the U.S. Marine Corps during World War II. The current facility was completed in 1974 and was passed on to his sons Jay, Jim Jr., and Jon. Jim Sr. passed away in 2013 at the age of 87, leaving behind a legacy of service, generosity, and auctioneering excellence.

Today, the Schaben family still owns and operates Dunlap Livestock Auction and has grown to include multiple generations of the family. In addition to livestock, they also offer home and estate, farm machinery, gun, and real estate auctions serving clients throughout Iowa and the Midwest. The Schaben family has continually advocated for the cattle industry. In 2021, Jon Schaben testified before the Senate Judiciary Committee on behalf of the Iowa Cattlemen's Association, an organization of which he is a member.

In 2023, Dunlap Livestock Auction celebrated its 73rd business anniversary of being operated by the Schaben family.

Dunlap Livestock Auction and the Schaben family are a staple of the Harrison County and Dunlap community. Jim Sr. served in the Iowa Senate from 1967 until 1975 on the Agriculture Committee. Jim Sr. and Ruth donated 80 acres of land in the 1970s to Harrison County, which now bears the name Schaben Park. Dunlap Livestock Auction has also been recognized for its work. In 2020, they won the Iowa Beef Industry Council's Beef Quality Assurance Iowa Marketer Award. In 2022, Will Epperly represented Dunlap Livestock Auction and won the World Livestock Auctioneer Championship. Jon Schaben won the World Livestock Auctioneer Championship in 2003.

Dunlap Livestock Auction's commitment to providing livestock auctioneering services in Western Iowa is clear. I want to congratulate the Schaben family and the entire team at Dunlap Livestock Auction for their continued dedication to providing auctioneering services to Iowans. I look forward to seeing their continued growth and success in Iowa.●

TRIBUTE TO JEREMY CRISS

• Mr. VAN HOLLEN. Mr. President, I rise today to pay tribute to a dedicated public servant and champion of our agricultural community, Jeremy Criss. With over 30 years of unwavering service to Montgomery County, Mr. Criss has proven himself to be an indispensable asset not only to his community but also to the State of Maryland as a tireless advocate for our farmers.

What sets Mr. Criss apart is not just his deep understanding of what our farmers do but, more importantly, why they do it. He has always recognized that agriculture is not just an occupation; it is a way of life, a vital pillar of our society. As the director of agricultural services for Montgomery County, MD, Mr. Criss's commitment to the betterment of our society through agriculture has been nothing short of exceptional.

Under Mr. Criss's leadership, the Montgomery County Office of Agriculture has been a beacon of support for farmers, offering invaluable resources and guidance, allowing our agricultural community not only to survive but also to thrive. Mr. Criss's personal commitment to the cause of agriculture is evident to anyone who knows him. He has not only been a director but also a friend and mentor to many in our farming community, offering guidance and a listening ear during both good times and challenging ones. His kindness and unwavering support have made him a beloved figure among our farmers and greater community, and his absence will be keenly felt.

I commend Mr. Criss for the invaluable contributions he has made to our agricultural community. His legacy is one of dedication, passion, and a deep

love for the land and the people who work it. Montgomery County, the State of Maryland, and our farmers are stronger today because of Mr. Criss, and I congratulate him and wish him a well-earned, enjoyable, and fulfilling retirement.●

MESSAGES FROM THE PRESIDENT

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

PRESIDENTIAL MESSAGES

REPORT OF THE VETO OF S.J. RES. 9, A JOINT RESOLUTION THAT WOULD DISAPPROVE THE FINAL RULE ENTITLED “ENDANGERED AND THREATENED WILDLIFE AND PLANTS: LESSER PRAIRIE-CHICKEN: THREATENED STATUS WITH SECTION 4(D) RULE FOR THE DISTINCT POPULATION SEGMENT AND ENDANGERED STATUS FOR THE SOUTHERN DISTINCT POPULATION SEGMENT”—PM 22

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States was ordered to be printed in the Record, spread in full upon the Journal, and held at the desk:

To the Senate of the United States:

I am returning herewith without my approval S.J. Res. 9, a joint resolution that would disapprove the final rule entitled “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.”

The final rule, issued by the United States Fish and Wildlife Service (USFWS), provides Endangered Species Act (ESA) protections to an American bird species whose historical habitat on the Great Plains has diminished by approximately 90 percent and whose populations have plummeted toward disappearance. Following a rigorous review of the best available scientific and commercial information regarding the past, present, and future threats, as well as ongoing conservation efforts, the USFWS listed the Southern Distinct Population Segment of the lesser prairie-chicken as endangered, and the Northern Distinct Population Segment of the lesser prairie-chicken as threatened. The rule also affirms and protects locally led and crafted voluntary conservation agreements that landowners and land managers have developed in recent years, which provide certainty for industry as well as safeguards for prairie-chicken populations.

S.J. Res. 9 would overturn a science-based rulemaking that follows the requirements of the law, and thereby un-

dermines the ESA. The lesser prairie-chicken serves as an indicator for healthy grasslands and prairies, making the species an important measure of the overall health of America's grasslands. If enacted, S.J. Res. 9 would undermine America's proud wildlife conservation traditions, risk the extinction of a once-abundant American bird, and create uncertainty for landowners and industries who have been working for years to forge the durable, locally led conservation strategies that this rule supports.

Therefore, I am vetoing this resolution.

JOSEPH R. BIDEN, JR.
THE WHITE HOUSE, September 26, 2023.

REPORT OF THE VETO OF S.J. RES. 24, A JOINT RESOLUTION THAT WOULD DISAPPROVE THE FINAL RULE ENTITLED “ENDANGERED AND THREATENED WILDLIFE AND PLANTS; ENDANGERED SPECIES STATUS FOR NORTHERN LONG-EARED BAT”—PM 23

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States was ordered to be printed in the Record, spread in full upon the Journal, and held at the desk:

To The Senate of the United States:

I am returning herewith without my approval S.J. Res. 24, a joint resolution that would disapprove the final rule entitled “Endangered and Threatened Wildlife and Plants; Lesser Prairie-Chicken; Threatened Status with Section 4(d) Rule for the Northern Distinct Population Segment and Endangered Species Status for Northern Long-Eared Bat.”

The final rule, issued by the United States Fish and Wildlife Service (USFWS), provides Endangered Species Act (ESA) protections to the northern long-eared bat, whose populations have been heavily impacted by white-nose syndrome. The northern long-eared bat now faces extinction due to white-nose syndrome, a deadly disease that has spread across approximately 79 percent of the northern long-eared bat's entire range and is expected to affect 100 percent of the species' range by the end of the decade. Data indicate white-nose syndrome has caused estimated declines of 97 to 100 percent in affected northern long-eared bat populations. Following a rigorous review of the best available scientific and commercial information regarding the past, present, and future threats, as well as ongoing conservation efforts, the USFWS listed the northern long-eared bat as an endangered species under the ESA.

S.J. Res. 24 would overturn a science-based rulemaking that follows the requirements of the law, and thereby undermines the ESA. Bats are critical to healthy, functioning ecosystems and contribute at least \$3 billion annually to the United States agriculture economy through pest control and pollination. If enacted, S.J. Res. 24 would undermine America's proud wildlife

conservation traditions and risk extinction of the species.

Therefore, I am vetoing this resolution.

JOSEPH R. BIDEN, Jr.
THE WHITE HOUSE, September 26, 2023.

MESSAGE FROM THE HOUSE

At 3:02 p.m., a message from the House of Representatives, delivered by Mrs. Alli, one of its reading clerks, announced that pursuant to section 4 of the United States Semiquincentennial Commission Act of 2016 (Public Law 114-196), the Minority Leader appoints the following individual from private life to serve as a Commissioner to the United States Semiquincentennial Commission: Mr. Reginald Matthew Browne of Newtown, Pennsylvania.

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. DAINES:

S. 2913. A bill to amend title 5, United States Code, to deny Federal retirement benefits to individuals convicted of child sex abuse; to the Committee on Homeland Security and Governmental Affairs.

By Mr. DAINES (for himself and Ms. SINEMA):

S. 2914. A bill to amend the Fair Labor Standards Act of 1938 to exempt certain employees engaged in outdoor recreational outfitting or guiding services from maximum hours requirements; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WELCH:

S. 2915. A bill to amend the Federal Power Act to authorize the allocation of the costs of certain interstate electric power transmission lines and electric power transmission lines that are located offshore, and for other purposes; to the Committee on Energy and Natural Resources.

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

S. 2916. A bill to provide for digital communication of prescribing information for drugs (including biological products), and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. CORTEZ MASTO (for herself and Mrs. HYDE-SMITH):

S. 2917. A bill to amend the Consolidated Farm and Rural Development Act to establish an emergency preparedness and response technical assistance program to assist entities that operate rural water or wastewater systems in preparing for and responding to natural or man-made disasters; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. MARKEY (for himself, Ms. BALDWIN, and Mr. YOUNG):

S. 2918. A bill to reauthorize the program of surveillance and education regarding infections associated with illicit drug use and other risk factors; to the Committee on Health, Education, Labor, and Pensions.

By Ms. HASSAN (for herself and Mr. CORNYN):

S. 2919. A bill to require research with respect to fentanyl and xylazine test strips, to authorize the use of grant funds for such test strips, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WHITEHOUSE (for himself, Mr. GRASSLEY, and Mr. WYDEN):

S. 2920. A bill to amend the Internal Revenue Code of 1986 to expand the exclusion of Pell Grants from gross income; to the Committee on Finance.

By Mr. MARSHALL:

S. 2921. A bill to amend the Internal Revenue Code of 1986 to permit 529 plans to be used for certain non-degree technical training certificate programs, apprenticeship programs, and other training programs; to the Committee on Finance.

By Mr. CASEY (for himself, Mrs. BLACKBURN, Mr. Kaine, and Mr. CRAMER):

S. 2922. A bill to advance population research for chronic pain; to the Committee on Health, Education, Labor, and Pensions.

By Ms. ERNST:

S. 2923. A bill to amend the Food and Nutrition Act of 2008 to improve the calculation and reduce the taxpayer cost of payment errors under the supplemental nutrition assistance program, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

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

S. 2924. A bill to amend title 31, United States Code, to improve the management of improper payments, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. KENNEDY (for himself and Mr. TILLIS):

S. 2925. A bill to amend the Consumer Financial Protection Act of 2010 to set the rate of pay for employees of the Bureau of Consumer Financial Protection in accordance with the General Schedule; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. DURBIN (for himself, Mr. BLUMENTHAL, Mrs. FEINSTEIN, Mr. WYDEN, Mr. WELCH, Mr. KELLY, and Ms. HIRONO):

S. 2926. A bill to prohibit the importation, sale, manufacture, transfer, or possession of .50 caliber rifles, and for other purposes; to the Committee on Finance.

By Mr. LUJAN (for himself, Ms. CORTEZ MASTO, and Mr. HICKENLOOPER):

S. 2927. A bill to amend the Omnibus Public Land Management Act of 2009 to increase Tribal access to water conservation and efficiency grants, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. KELLY (for himself and Mr. CRAMER):

S. 2928. A bill to amend the Water Infrastructure Finance and Innovation Act of 2014 to establish payment and performance security requirements for projects, and for other purposes; to the Committee on Environment and Public Works.

By Mr. DURBIN (for himself, Mr. WYDEN, Mr. BLUMENTHAL, Mr. MERKLEY, Mr. BROWN, Mr. MARKEY, Ms. HIRONO, Mrs. MURRAY, and Mr. REED):

S. 2929. A bill to amend the Internal Revenue Code of 1986 to provide tax rate parity among all tobacco products, and for other purposes; to the Committee on Finance.

By Mr. LEE (for himself and Mr. KING):

S. 2930. A bill to make exclusive the authority of the Federal Government to regulate the labeling of products made in the United States and introduced in interstate or foreign commerce, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. BALDWIN (for herself and Mr. GRASSLEY):

S. 2931. A bill to amend the Farm Security and Rural Investment Act of 2002 to modify

the Rural Energy for America Program, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. MARKEY (for himself, Mr. PADILLA, Mr. BLUMENTHAL, and Mr. BOOKER):

S. 2932. A bill to direct the Secretary of Health and Human Services to provide guidance to State Medicaid agencies, public housing agencies, Continuums of Care, and housing finance agencies on connecting Medicaid beneficiaries with housing-related services and supports under Medicaid and other housing resources, and for other purposes; to the Committee on Finance.

By Ms. BALDWIN (for herself, Ms. HASAN, and Mrs. CAPITO):

S. 2933. A bill to reauthorize the program of first responder training; to the Committee on Health, Education, Labor, and Pensions.

By Mr. COONS (for himself and Mr. TILLIS):

S. 2934. A bill to amend the Trademark Act of 1946 to provide for contributory liability for certain electronic commerce platforms for use of a counterfeit mark by a third party on such platforms, and for other purposes; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. MARKEY (for himself, Mr. SANDERS, Mr. CASEY, Ms. HASSAN, Mr. FETTERMAN, Ms. DUCKWORTH, Ms. WARREN, Mr. MURPHY, Mr. VAN HOLLEN, and Mr. BLUMENTHAL):

S. Res. 361. A resolution recognizing the importance of the Rehabilitation Act of 1973 on the lives of individuals with disabilities and calling for further action to advance access, opportunity, and equity for individuals with disabilities; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MARSHALL:

S. Res. 362. A resolution to express the sense of the Senate regarding the constitutional right of State Governors to repel the dangerous ongoing invasion across the United States southern border; to the Committee on the Judiciary.

By Mrs. BLACKBURN (for herself and Mr. MARKEY):

S. Res. 363. A resolution supporting continued United States and Taiwan cooperation in education; to the Committee on Foreign Relations.

By Mr. BENNET (for himself and Ms. ERNST):

S. Res. 364. A resolution relating to proceedings of the Senate in the event of a partial or full shutdown of the Federal Government; to the Committee on Rules and Administration.

By Mr. TESTER (for himself and Mr. MORAN):

S. Res. 365. A resolution honoring the 50th anniversary of the National Cemetery Administration of the Department of Veterans Affairs; considered and agreed to.

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

S. Res. 366. A resolution designating September 2023 as “School Bus Safety Month”; considered and agreed to.

By Mr. RUBIO (for himself and Ms. BALDWIN):

S. Res. 367. A resolution designating September 2023 as “National Spinal Cord Injury Awareness Month”; considered and agreed to.

By Mr. SCHATZ (for himself, Mr. WICKER, Mr. CARDIN, Mr. THUNE, Mr. WARNER, and Mrs. HYDE-SMITH):

S. Res. 368. A resolution supporting the designation of the week of September 17 through September 23, 2023, as “Telehealth Awareness Week”; considered and agreed to.

By Mr. BOOKER (for Mr. SCOTT of South Carolina (for himself, Mr. BOOKER, Mr. WARNOCK, Mr. LANKFORD, Mr. BROWN, Mr. RUBIO, Ms. STABENOW, Mr. YOUNG, Mrs. FEINSTEIN, Mrs. HYDE-SMITH, Mr. PADILLA, Mr. CARPER, and Ms. WARREN):

S. Res. 369. A resolution expressing support for the designation of September 2023 as “Sickle Cell Disease Awareness Month” in order to educate communities across the United States about sickle cell disease and the need for research, early detection methods, effective treatments, and preventative care programs with respect to complications from sickle cell disease and conditions related to sickle cell disease; considered and agreed to.

ADDITIONAL COSPONSORS

S. 41

At the request of Mr. DURBIN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 41, a bill to reauthorize the READ Act.

S. 45

At the request of Mr. CARDIN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 45, a bill to amend the Internal Revenue Code of 1986 to simplify reporting requirements, promote tax compliance, and reduce tip reporting compliance burdens in the beauty service industry.

S. 133

At the request of Ms. COLLINS, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 133, a bill to extend the National Alzheimer’s Project.

S. 135

At the request of Mr. LANKFORD, the names of the Senator from Texas (Mr. CORNYN) and the Senator from Alabama (Mr. TUBERVILLE) 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. 592

At the request of Ms. STABENOW, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 592, a bill to amend title 38, United States Code, to increase the mileage rate offered by the Department of Veterans Affairs through their Beneficiary Travel program for health related travel, and for other purposes.

S. 652

At the request of Ms. MURKOWSKI, the names of the Senator from Hawaii (Ms. HIRONO) and the Senator from California (Mr. PADILLA) were added as cosponsors of S. 652, a bill to amend the Employee Retirement Income Security Act of 1974 to require a group health plan or health insurance coverage offered in connection with such a plan to

provide an exceptions process for any medication step therapy protocol, and for other purposes.

S. 722

At the request of Ms. KLOBUCHAR, the name of the Senator from Kansas (Mr. MARSHALL) was added as a cosponsor of S. 722, a bill to amend the Internal Revenue Code of 1986 to permit certain expenses associated with obtaining or maintaining recognized postsecondary credentials to be treated as qualified higher education expenses for purposes of 529 accounts.

S. 740

At the request of Mr. BOOZMAN, the names of the Senator from Wyoming (Ms. LUMMIS) and the Senator from West Virginia (Mr. MANCHIN) were added as cosponsors of S. 740, a bill to amend title 38, United States Code, to reinstate criminal penalties for persons charging veterans unauthorized fees relating to claims for benefits under the laws administered by the Secretary of Veterans Affairs, and for other purposes.

S. 928

At the request of Mr. TESTER, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor 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. 993

At the request of Ms. CORTEZ MASTO, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 993, a bill to prohibit certain uses of xylazine, and for other purposes.

S. 1199

At the request of Mr. DURBIN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1199, a bill to combat the sexual exploitation of children by supporting victims and promoting accountability and transparency by the tech industry.

S. 1294

At the request of Mr. THUNE, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 1294, a bill to provide for payment rates for durable medical equipment under the Medicare program.

S. 1384

At the request of Mrs. GILLIBRAND, the name of the Senator from Minnesota (Ms. SMITH) was added as a cosponsor of S. 1384, a bill to promote and protect from discrimination living organ donors.

S. 1507

At the request of Mr. BROWN, the name of the Senator from North Carolina (Mr. BUDD) was added as a cosponsor of S. 1507, a bill to provide grants to State, local, territorial, and Tribal law enforcement agencies to purchase chemical screening devices and train personnel to use chemical screening devices in order to enhance law enforcement efficiency and protect law enforcement officers.

S. 1557

At the request of Ms. CANTWELL, the names of the Senator from Ohio (Mr. BROWN) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. 1557, a bill to amend the Internal Revenue Code of 1986 to reform the low-income housing credit, and for other purposes.

S. 1792

At the request of Mr. TESTER, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 1792, a bill to amend title 38, United States Code, to modify the program of comprehensive assistance for family caregivers of veterans, and for other purposes.

S. 1800

At the request of Ms. MURKOWSKI, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 1800, a bill to amend the Public Health Service Act to reauthorize and extend the Fetal Alcohol Spectrum Disorders Prevention and Services program, and for other purposes.

S. 2085

At the request of Mr. CRAPO, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor 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. 2090

At the request of Mr. MULLIN, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 2090, a bill to amend the Clean Air Act to prevent the elimination of the sale of motor vehicles with internal combustion engines.

S. 2238

At the request of Mr. WICKER, the name of the Senator from California (Mr. PADILLA) was added as a cosponsor of S. 2238, a bill to direct the Assistant Secretary of Commerce for Communications and Information to develop a National Strategy to Close the Digital Divide, and for other purposes.

S. 2284

At the request of Mr. McCONNELL, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 2284, a bill to require the Director of the Bureau of Prisons to be appointed by and with the advice and consent of the Senate.

S. 2407

At the request of Mr. CARPER, the name of the Senator from North Carolina (Mr. TILLIS) was added as a cosponsor 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. 2444

At the request of Mrs. FISCHER, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 2444, a bill to establish an interactive online dashboard to improve

public access to information about grant funding related to mental health and substance use disorder programs.

S. 2515

At the request of Mr. CARDIN, the names of the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from South Dakota (Mr. THUNE), the Senator from Washington (Ms. CANTWELL) and the Senator from North Carolina (Mr. TILLIS) were added as cosponsors of S. 2515, a bill to amend the Internal Revenue Code of 1986 and the Small Business Act to expand the availability of employee stock ownership plans in S corporations, and for other purposes.

S. 2581

At the request of Mr. CRAPO, the name of the Senator from Arizona (Mr. KELLY) was added as a cosponsor of S. 2581, a bill to extend the Secure Rural Schools and Community Self-Determination Act of 2000.

S. 2738

At the request of Mr. VANCE, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S. 2738, a bill to prohibit through December 31, 2024, the imposition of a mask mandate on passengers of air carriers or public transit and in educational settings within the United States, and for other purposes.

S. 2757

At the request of Mr. TESTER, the names of the Senator from New Mexico (Mr. HEINRICH) and the Senator from Nevada (Ms. CORTEZ MASTO) 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. 2781

At the request of Mr. HEINRICH, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 2781, a bill to promote remediation of abandoned hardrock mines, and for other purposes.

S. 2817

At the request of Mrs. GILLIBRAND, the name of the Senator from Pennsylvania (Mr. FETTERMAN) 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. 2835

At the request of Mr. SULLIVAN, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 2835, a bill making continuing appropriations for military pay in the event of a Government shutdown.

S. 2860

At the request of Mr. MERKLEY, the names of the Senator from Massachu-

sets (Ms. WARREN), the Senator from Montana (Mr. TESTER), the Senator from Nevada (Ms. CORTEZ MASTO), the Senator from Illinois (Ms. DUCKWORTH), the Senator from Minnesota (Ms. SMITH), the Senator from Arizona (Mr. KELLY), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from New York (Mrs. GILLIBRAND), the Senator from Washington (Mrs. MURRAY) and the Senator from Hawaii (Ms. HIRONO) were added as cosponsors of S. 2860, a bill to create protections for financial institutions that provide financial services to State-sanctioned marijuana businesses and service providers for such businesses, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DURBIN (for himself, Mr. BLUMENTHAL, Mrs. FEINSTEIN, Mr. WYDEN, Mr. WELCH, Mr. KELLY, and Ms. HIRONO):

S. 2926. A bill to prohibit the importation, sale, manufacture, transfer, or possession of .50 caliber rifles, and for other purposes; to the Committee on Finance.

Mr. DURBIN. Madam President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2926

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Stop Arming Cartels Act of 2023”.

SEC. 2. PROHIBITION ON RIFLES CAPABLE OF FIRING .50 CALIBER AMMUNITION.

(a) IN GENERAL.—Chapter 44 of title 18, United States Code, is amended—

(1) in section 922, by adding at the end the following:

“(aa) RIFLES CAPABLE OF FIRING .50 CALIBER AMMUNITION.—

“(1) IN GENERAL.—Except as provided in paragraph (2), it shall be unlawful for any person to import, sell, manufacture, transfer, or possess, in or affecting interstate or foreign commerce, a rifle capable of firing .50 caliber ammunition.

“(2) EXCEPTIONS.—

“(A) GOVERNMENT USE.—Paragraph (1) shall not apply to the importation for, manufacture for, sale to, transfer to, or possession by the United States, a department or agency of the United States, a State, or a department, agency, or political subdivision of a State, of a rifle capable of firing .50 caliber ammunition.

“(B) GRANDFATHERED RIFLES.—Paragraph (1) shall not apply to the sale, transfer, or possession of any rifle otherwise lawfully possessed on or before the date of enactment of the Stop Arming Cartels Act of 2023.”; and

(2) in section 924(a)(1)(B), by striking “or (q)” and inserting “(q), or (aa)”.

(b) INCLUSION OF CERTAIN RIFLES AS FIREARMS UNDER NATIONAL FIREARMS ACT.—

(1) IN GENERAL.—Section 5845(a) of the Internal Revenue Code of 1986 is amended by striking “and (8) a destructive device” and inserting “(8) a destructive device; and (9) a rifle which is capable of firing .50 caliber ammunition and is lawfully possessed on or be-

fore the date of enactment of the Stop Arming Cartels Act of 2023”.

(2) EFFECTIVE DATE.—

(A) IN GENERAL.—Subject to subparagraph (B), the amendments made by this subsection shall take effect on the date which is 12 months after the date of enactment of this Act.

(B) REGISTRATION.—

(i) IN GENERAL.—Notwithstanding subparagraph (A) or any other provision of law, any person possessing a rifle which is capable of firing .50 caliber ammunition which is not registered to such person in the National Firearms Registration and Transfer Record shall register each such rifle so possessed with the Secretary in such form and manner as the Secretary may require within the 12-month period immediately following the date of enactment of this Act. No fee or tax shall be imposed with respect to any registration required under this subparagraph.

(ii) INCLUSION IN REGISTRY.—Any registration described in clause (i) shall become a part of the National Firearms Registration and Transfer Record. No information or evidence required to be submitted or retained by a natural person to register a firearm under this subparagraph shall be used, directly or indirectly, as evidence against such person in any criminal proceeding with respect to a prior or concurrent violation of law.

(C) DEFINITIONS.—In this paragraph:

(i) NATIONAL FIREARMS REGISTRATION AND TRANSFER RECORD.—The term “National Firearms Registration and Transfer Record” means the registry established pursuant to section 5841 of the Internal Revenue Code of 1986.

(ii) SECRETARY.—The term “Secretary” has the same meaning given such term under section 7701(a)(11)(B) of the Internal Revenue Code of 1986.

SEC. 3. EXCEPTION TO COVERAGE UNDER PROTECTION OF LAWFUL COMMERCE IN ARMS ACT.

Section 4(5)(A) of the Protection of Lawful Commerce in Arms Act (15 U.S.C. 7903(5)(A)) is amended—

(1) in clause (v), by striking “or” at the end;

(2) in clause (vi), by striking the period at the end and inserting “; or”; and

(3) by adding at the end the following:

“(vii) an action brought against a manufacturer or seller that knowingly sells or transfers a qualified product, or attempts or conspires to do so, knowing or having reasonable cause to believe that the transaction is prohibited under section 805(c) of the Foreign Narcotics Kingpin Designation Act (21 U.S.C. 1904(c)).”.

SEC. 4. FEDERAL FIREARM PROHIBITOR FOR SIGNIFICANT FOREIGN NARCOTICS TRAFFICKERS AND CERTAIN OTHER FOREIGN PERSONS.

(a) IN GENERAL.—Section 922(d) of title 18, United States Code, is amended—

(1) in paragraph (10), by striking “or” at the end;

(2) by redesignating paragraph (11) as paragraph (12);

(3) by inserting after paragraph (10) the following:

“(11) is—

“(A) a significant foreign narcotics trafficker publicly identified by the President in a report under subsection (b) or (h)(1) of section 804 of the Foreign Narcotics Kingpin Designation Act (21 U.S.C. 1903); or

“(B) a foreign person designated by the Secretary of the Treasury under section 805(b) of the Foreign Narcotics Kingpin Designation Act (21 U.S.C. 1904(b)); or”; and

(4) in paragraph (12), as so redesignated, by striking “(10)” and inserting “(11)”.

(b) CONFORMING AMENDMENTS RELATING TO NICS.—Section 103 of the Brady Handgun Violence Prevention Act (34 U.S.C. 40901) is amended—

(1) in subsection (b)(2)(D), by inserting “or that transfer of a firearm or ammunition to the individual would violate subsection (d)(11) of such section 922” after “section 922 of title 18, United States Code.”;

(2) in subsection (e)(1)—

(A) in subparagraph (A), by inserting “or to whom transfer of a firearm would violate subsection (d)(11) of such section 922,” after “section 922 of title 18, United States Code or State law.”;

(B) in subparagraph (C), by inserting “or that transfer of a firearm or ammunition to the person would violate subsection (d)(11) of such section 922,” after “section 922 of title 18, United States Code.”;

(C) in subparagraph (F)(iii)(I), by striking “(g) or (n)” and inserting “(d)(11), (g), or (n)”; and

(D) in subparagraph (G)(i), by striking “(g) or (n)” and inserting “(d)(11), (g), or (n)”;

(3) in subsection (g), by inserting “or that transfer of a firearm to a prospective transferee would violate subsection (d)(11) of such section 922,” after “section 922 of title 18, United States Code or State law.”; and

(4) in subsection (i)(2)—

(A) by striking “persons,” and inserting “persons who are”; and

(B) by inserting before the period at the end the following: “, or to whom transfer of a firearm would violate subsection (d)(11) of such section 922”.

SEC. 5. ADDING RIFLES TO MULTIPLE FIREARM SALES REPORTING REQUIREMENTS.

Section 923(g)(3)(A) of title 18, United States Code, is amended by striking “pistols, or revolvers, or any combination of pistols and revolvers” and inserting “pistols, revolvers, or rifles, or any combination of pistols, revolvers, and rifles”.

By Mr. DURBIN (for himself, Mr. WYDEN, Mr. BLUMENTHAL, Mr. MERKLEY, Mr. BROWN, Mr. MARKLEY, Ms. HIRONO, Mrs. MURRAY, and Mr. REED):

S. 2929. A bill to amend the Internal Revenue Code of 1986 to provide tax rate parity among all tobacco products, and for other purposes; to the Committee on Finance.

Mr. DURBIN. Madam President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2929

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Tobacco Tax Equity Act of 2023”.

SEC. 2. INCREASING EXCISE TAXES ON CIGARETTES AND ESTABLISHING EXCISE TAX EQUITY AMONG ALL TOBACCO PRODUCT TAX RATES.

(a) TAX PARITY FOR ROLL-YOUR-OWN TOBACCO.—Section 5701(g) of the Internal Revenue Code of 1986 is amended by striking “\$24.78” and inserting “\$49.56”.

(b) TAX PARITY FOR PIPE TOBACCO.—Section 5701(f) of the Internal Revenue Code of 1986 is amended by striking “\$2,831 cents” and inserting “\$49.56”.

(c) TAX PARITY FOR SMOKELESS TOBACCO.—

(1) Section 5701(e) of the Internal Revenue Code of 1986 is amended—

(A) in paragraph (1), by striking “\$1.51” and inserting “\$26.84”;

(B) in paragraph (2), by striking “50.33 cents” and inserting “\$10.74”; and

(C) by adding at the end the following:

“(3) SMOKELESS TOBACCO SOLD IN DISCRETE SINGLE-USE UNITS.—On discrete single-use units, \$100.66 per thousand.”

(2) Section 5702(m) of such Code is amended—

(A) in paragraph (1), by striking “or chewing tobacco” and inserting “, chewing tobacco, or discrete single-use unit”;

(B) in paragraphs (2) and (3), by inserting “that is not a discrete single-use unit” before the period in each such paragraph; and

(C) by adding at the end the following:

“(4) DISCRETE SINGLE-USE UNIT.—The term ‘discrete single-use unit’ means any product containing, made from, or derived from tobacco or nicotine that—

“(A) is not intended to be smoked; and

“(B) is in the form of a lozenge, tablet, pill, pouch, dissolvable strip, or other discrete single-use or single-dose unit.”

(d) TAX PARITY FOR SMALL CIGARS.—Paragraph (1) of section 5701(a) of the Internal Revenue Code of 1986 is amended by striking “\$50.33” and inserting “\$100.66”.

(e) TAX PARITY FOR LARGE CIGARS.—

(1) IN GENERAL.—Paragraph (2) of section 5701(a) of the Internal Revenue Code of 1986 is amended by striking “52.75 percent” and all that follows through the period and inserting the following: “\$49.56 per pound and a proportionate tax at the like rate on all fractional parts of a pound but not less than 10,066 cents per cigar.”

(2) GUIDANCE.—The Secretary of the Treasury, or the Secretary’s delegate, may issue guidance regarding the appropriate method for determining the weight of large cigars for purposes of calculating the applicable tax under section 5701(a)(2) of the Internal Revenue Code of 1986.

(3) CONFORMING AMENDMENT.—Section 5702 of such Code is amended by striking subsection (1).

(f) TAX PARITY FOR ROLL-YOUR-OWN TOBACCO AND CERTAIN PROCESSED TOBACCO.—Subsection (o) of section 5702 of the Internal Revenue Code of 1986 is amended by inserting “, and includes processed tobacco that is removed for delivery or delivered to a person other than a person with a permit provided under section 5713, but does not include removals of processed tobacco for exportation” after “wrappers thereof”.

(g) IMPOSITION OF TAX ON NICOTINE FOR USE IN VAPING, ETC.—

(1) IN GENERAL.—Section 5701 of the Internal Revenue Code of 1986 is amended by redesignating subsection (h) as subsection (i) and by inserting after subsection (g) the following new subsection:

“(h) NICOTINE.—On taxable nicotine, manufactured in or imported into the United States, there shall be imposed a tax equal to the dollar amount specified in section 5701(b)(1) per 1,810 milligrams of nicotine (and a proportionate tax at the like rate on any fractional part thereof.”).

(2) TAXABLE NICOTINE.—Section 5702 of such Code is amended by adding at the end the following new subsection:

“(q) TAXABLE NICOTINE.—

“(1) IN GENERAL.—Except as otherwise provided in this subsection, the term ‘taxable nicotine’ means any nicotine which has been extracted, concentrated, or synthesized.

“(2) EXCEPTION FOR PRODUCTS APPROVED BY FOOD AND DRUG ADMINISTRATION.—Such term shall not include any nicotine if the manufacturer or importer thereof demonstrates to the satisfaction of the Secretary of Health and Human Services that such nicotine will be used in—

“(A) a drug—

“(i) that is approved under section 505 of the Federal Food, Drug, and Cosmetic Act or

licensed under section 351 of the Public Health Service Act; or

“(ii) for which an investigational use exemption has been authorized under section 505(i) of the Federal Food, Drug, and Cosmetic Act or under section 351(a) of the Public Health Service Act; or

“(B) a combination product (as described in section 503(g) of the Federal Food, Drug, and Cosmetic Act), the constituent parts of which were approved or cleared under section 505, 510(k), or 515 of such Act.

“(3) COORDINATION WITH TAXATION OF OTHER TOBACCO PRODUCTS.—Tobacco products meeting the definition of cigars, cigarettes, smokeless tobacco, pipe tobacco, and roll-your-own tobacco in this section shall be classified and taxed as such despite any concentration of the nicotine inherent in those products or any addition of nicotine to those products during the manufacturing process.

“(4) REGULATIONS.—The Secretary shall prescribe such regulations or other guidance as is necessary or appropriate to carry out the purposes of this subsection, including regulations or other guidance for coordinating the taxation of tobacco products and taxable nicotine to protect revenue and prevent double taxation.”

(3) TAXABLE NICOTINE TREATED AS A TOBACCO PRODUCT.—Section 5702(c) of such Code is amended by striking “and roll-your-own tobacco” and inserting “roll-your-own tobacco, and taxable nicotine”.

(4) MANUFACTURER OF TAXABLE NICOTINE.—Section 5702 of such Code, as amended by paragraph (2), is amended by adding at the end the following new subsection:

“(r) MANUFACTURER OF TAXABLE NICOTINE.—

“(1) IN GENERAL.—Any person who extracts, concentrates, or synthesizes nicotine shall be treated as a manufacturer of taxable nicotine (and as manufacturing such taxable nicotine).

“(2) APPLICATION OF RULES RELATED TO MANUFACTURERS OF TOBACCO PRODUCTS.—Any reference to a manufacturer of tobacco products, or to manufacturing tobacco products, shall be treated as including a reference to a manufacturer of taxable nicotine, or to manufacturing taxable nicotine, respectively.”

(h) INCREASING TAX ON CIGARETTES.—

(1) SMALL CIGARETTES.—Section 5701(b)(1) of such Code is amended by striking “\$50.33” and inserting “\$100.66”.

(2) LARGE CIGARETTES.—Section 5701(b)(2) of such Code is amended by striking “\$105.69” and inserting “\$211.39”.

(i) TAX RATES ADJUSTED FOR INFLATION.—Section 5701 of such Code, as amended by subsection (g), is amended by adding at the end the following new subsection:

“(j) INFLATION ADJUSTMENT.—

“(1) IN GENERAL.—In the case of any calendar year beginning after 2023, the dollar amounts provided under this chapter shall each be increased by an amount equal to—

“(A) such dollar amount, multiplied by

“(B) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year, determined by substituting ‘calendar year 2022’ for ‘calendar year 2016’ in subparagraph (A)(ii) thereof.

“(2) ROUNDING.—If any amount as adjusted under paragraph (1) is not a multiple of \$0.01, such amount shall be rounded to the next highest multiple of \$0.01.”

(j) FLOOR STOCKS TAXES.—

(1) IMPOSITION OF TAX.—On tobacco products manufactured in or imported into the United States which are removed before any tax increase date and held on such date for sale by any person, there is hereby imposed a tax in an amount equal to the excess of—

(A) the tax which would be imposed under section 5701 of the Internal Revenue Code of

1986 on the article if the article had been removed on such date, over

(B) the prior tax (if any) imposed under section 5701 of such Code on such article.

(2) CREDIT AGAINST TAX.—Each person shall be allowed as a credit against the taxes imposed by paragraph (1) an amount equal to \$500. Such credit shall not exceed the amount of taxes imposed by paragraph (1) on such date for which such person is liable.

(3) LIABILITY FOR TAX AND METHOD OF PAYMENT.—

(A) LIABILITY FOR TAX.—A person holding tobacco products on any tax increase date to which any tax imposed by paragraph (1) applies shall be liable for such tax.

(B) METHOD OF PAYMENT.—The tax imposed by paragraph (1) shall be paid in such manner as the Secretary shall prescribe by regulations.

(C) TIME FOR PAYMENT.—The tax imposed by paragraph (1) shall be paid on or before the date that is 120 days after the effective date of the tax rate increase.

(4) ARTICLES IN FOREIGN TRADE ZONES.—Notwithstanding the Act of June 18, 1934 (commonly known as the Foreign Trade Zone Act, 48 Stat. 998, 19 U.S.C. 81a et seq.), or any other provision of law, any article which is located in a foreign trade zone on any tax increase date shall be subject to the tax imposed by paragraph (1) if—

(A) internal revenue taxes have been determined, or customs duties liquidated, with respect to such article before such date pursuant to a request made under the first proviso of section 3(a) of such Act, or

(B) such article is held on such date under the supervision of an officer of the United States Customs and Border Protection of the Department of Homeland Security pursuant to the second proviso of such section 3(a).

(5) DEFINITIONS.—For purposes of this subsection—

(A) IN GENERAL.—Any term used in this subsection which is also used in section 5702 of such Code shall have the same meaning as such term has in such section.

(B) TAX INCREASE DATE.—The term “tax increase date” means the effective date of any increase in any tobacco product excise tax rate pursuant to the amendments made by this section (other than subsection (j) thereof).

(C) SECRETARY.—The term “Secretary” means the Secretary of the Treasury or the Secretary’s delegate.

(6) CONTROLLED GROUPS.—Rules similar to the rules of section 5061(e)(3) of such Code shall apply for purposes of this subsection.

(7) OTHER LAWS APPLICABLE.—All provisions of law, including penalties, applicable with respect to the taxes imposed by section 5701 of such Code shall, insofar as applicable and not inconsistent with the provisions of this subsection, apply to the floor stocks taxes imposed by paragraph (1), to the same extent as if such taxes were imposed by such section 5701. The Secretary may treat any person who bore the ultimate burden of the tax imposed by paragraph (1) as the person to whom a credit or refund under such provisions may be allowed or made.

(k) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraphs (2) through (4), the amendments made by this section shall apply to articles removed (as defined in section 5702(j) of the Internal Revenue Code of 1986) after the last day of the month which includes the date of the enactment of this Act.

(2) DISCRETE SINGLE-USE UNITS AND PROCESSED TOBACCO.—The amendments made by subsections (c)(1)(C), (c)(2), and (f) shall apply to articles removed (as defined in section 5702(j) of the Internal Revenue Code of 1986) after the date that is 6 months after the date of the enactment of this Act.

(3) LARGE CIGARS.—The amendments made by subsection (e) shall apply to articles removed after December 31, 2023.

(4) TAXABLE NICOTINE.—The amendments made by subsection (g) shall apply to articles removed in calendar quarters beginning after the date which is 180 days after the date of the enactment of this Act.

(1) TRANSITION RULE FOR PERMIT AND BOND REQUIREMENTS.—A person which is lawfully engaged in business as a manufacturer or importer of taxable nicotine (within the meaning of subchapter A of chapter 52 of the Internal Revenue Code of 1986, as amended by this section) on the date of the enactment of this Act, first becomes subject to the requirements of subchapter B of chapter 52 of such Code by reason of the amendments made by this section, and submits an application under such subchapter B to engage in such business not later than 90 days after the date of the enactment of this Act, shall not be denied the right to carry on such business by reason of such requirements before final action on such application.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 361—RECOGNIZING THE IMPORTANCE OF THE REHABILITATION ACT OF 1973 ON THE LIVES OF INDIVIDUALS WITH DISABILITIES AND CALLING FOR FURTHER ACTION TO ADVANCE ACCESS, OPPORTUNITY, AND EQUITY FOR INDIVIDUALS WITH DISABILITIES

Mr. MARKEY (for himself, Mr. SANDERS, Mr. CASEY, Ms. HASSAN, Mr. FETTERMAN, Ms. DUCKWORTH, Ms. WARREN, Mr. MURPHY, Mr. VAN HOLLEN, and Mr. BLUMENTHAL) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 361

Whereas September 26, 2023, marks the 50th anniversary of the passage of the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.);

Whereas, with the enactment of the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.), the discrimination faced by individuals with disabilities was recognized as systemic, rather than as an experience of the individual;

Whereas the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.) was modeled on anti-discrimination laws on the basis of race and sex;

Whereas the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.) recognized individuals with disabilities as a class of people subject to discrimination based on the identity individuals with disabilities share;

Whereas Congress worked in a bipartisan manner to enact legislation to address the civil rights of individuals with disabilities;

Whereas Congress passed the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.), which President Richard Nixon signed into law on September 26, 1973;

Whereas, in enacting the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.), Congress, for the first time, addressed the civil rights of individuals with disabilities;

Whereas the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.) expanded employment opportunities and further advanced independent living for individuals with disabilities through improvements to vocational rehabilitation services;

Whereas section 501 of the Rehabilitation Act of 1973 (29 U.S.C. 791)—

(1) prohibits discrimination against individuals with disabilities in Federal employment and has resulted in the Federal Government benefitting from the efforts of the nearly 10 percent of the Federal workforce who have disabilities; and

(2) requires Federal agencies to establish an affirmative action program for the hiring, placement, and advancement of individuals with disabilities;

Whereas section 503 of the Rehabilitation Act of 1973 (29 U.S.C. 793) prohibits Federal contractors from discriminating in employment against individuals with disabilities and requires employers take affirmative actions to recruit, hire, promote, and retain individuals with disabilities;

Whereas title VII of the Rehabilitation Act of 1973 (29 U.S.C. 796 et seq.) established the Independent Living Services and Centers of Independent Living programs to promote the independence, self-determination, equal access, and leadership of individuals with disabilities;

Whereas section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) prohibits discrimination on the basis of disability in all federally assisted programs or activities and laid the foundation for the passage of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.);

Whereas section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) has impacted access to and equity in healthcare, education, community living, employment opportunities, housing, transportation, electronic information and technology, and all other facets of life for individuals with disabilities;

Whereas, on April 28, 1977, nearly 4 years after the enactment of the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.), disability rights activists secured implementation of the rights established under that Act after leading sit-ins of Federal buildings across the United States;

Whereas section 508 of the Rehabilitation Act of 1973 (29 U.S.C. 794d), an important addition made to the Act in 1986 and expanded in 1998, improves the information and communications technology of Federal agencies to be accessible to individuals with disabilities;

Whereas 50 years after the enactment of the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.), individuals with disabilities still experience discrimination and barriers that interfere with their full participation in economic and social life in the United States; and

Whereas, 50 years after the enactment of the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.), the Act remains a critical law in advancing access, opportunity, and equity for individuals with disabilities, especially in historically underserved communities, and in meeting the goals of full participation, equal opportunity, independent living, and economic self-sufficiency for individuals with disabilities; Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the importance of access, opportunity, and equity for individuals with disabilities, made possible by the enactment of the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.);

(2) encourages individuals of the United States to celebrate the advancements made possible by the enactment of the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.);

(3) pledges to continue to work in a bipartisan manner to address access and equity barriers that remain for individuals with disabilities, particularly multimarginalized individuals, including Black, indigenous, and other people of color, immigrants, LGBQTQ people, low-income individuals, and people living in rural and underserved areas;

(4) pledges to continue to work with State and local educational agencies to provide equal access to a free appropriate public education for all students with disabilities, including individuals with disabilities with multimarginalized identities;

(5) pledges to continue to work with public health and health care delivery systems to address health care disparities and inadequate services for individuals with disabilities, from preventive care to home and community-based services;

(6) calls on Federal agencies to improve equal employment opportunities for workers with disabilities in the Federal sector through recruitment, hiring, promotion, and retention initiatives; and

(7) calls on the Department of Justice and the General Services Administration to improve their enforcement of, and oversight and compliance with, section 508 of the Rehabilitation Act of 1973 (29 U.S.C. 794d).

SENATE RESOLUTION 362—TO EXPRESS THE SENSE OF THE SENATE REGARDING THE CONSTITUTIONAL RIGHT OF STATE GOVERNORS TO REPEL THE DANGEROUS ONGOING INVASION ACROSS THE UNITED STATES SOUTHERN BORDER

Mr. MARSHALL submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 362

Whereas, during a 2019 Democratic presidential primary debate, President Biden called for “all those people seeking asylum” to “immediately surge to the border”;

Whereas, during a 2019 Democratic presidential primary debate, President Biden raised his hand when candidates were asked if their health plans will provide coverage for illegal immigrants;

Whereas, during a 2020 Democratic presidential primary debate, President Biden pledged support for “sanctuary cities” when he stated that illegal immigrants arrested by local police should not be turned over to Federal immigration authorities;

Whereas, on January 20, 2021, one of President Biden’s first actions as President was sending proposed legislation, the U.S. Citizenship Act, to Congress, which would provide a path to citizenship for an estimated 10,000,000 to 12,000,000 illegal immigrants who are currently residing in the United States;

Whereas, on January 20, 2021, President Biden also issued a “Proclamation on the Termination Of Emergency With Respect To The Southern Border Of The United States And Redirection Of Funds Diverted To Border Wall Construction”, which halted construction of physical barriers along the international border between the United States and Mexico, and he later terminated existing border wall construction contracts and failed to obligate more than \$1,000,000,000 that Congress had lawfully appropriated for border wall construction;

Whereas, on January 20, 2021, President Biden also halted enrollments in the Migrant Protection Protocols policy, which is also known as the “remain in Mexico” program;

Whereas on February 6, 2021, U.S. Secretary of State Antony Blinken suspended and terminated the Asylum Cooperative Agreements with the Governments of El Salvador, of Guatemala, and of Honduras;

Whereas in March 2022, the Department of Homeland Security began implementing the interim final rule titled “Procedures for Credible Fear Screening and Consideration of Asylum, Withholding of Removal, and

CAT Protection Claims by Asylum Officers” which authorizes U.S. Citizenship and Immigration Services to consider the asylum applications of individuals subject to expedited removal and violates the law enacted by Congress that requires asylum seekers to offer evidence to persuade a judge in an immigration court;

Whereas in August 2022, the Department of Homeland Security terminated the Migrant Protection Protocols (commonly known as the Remain in Mexico policy), which required aliens with pending asylum claims to wait in Mexico.

Whereas, during fiscal year 2021, U.S. Immigration and Customs Enforcement executed 59,000 deportations, which represents the lowest number of deportations since fiscal year 2008, and fewer than $\frac{1}{2}$ as many deportations as the number of people who were deported during fiscal year 2020, and is significantly lower than the 226,000 to 410,000 removals that occurred every fiscal year since 2008;

Whereas, during fiscal year 2021, U.S. Immigration and Customs Enforcement—

(1) arrested 48 percent fewer convicted criminals than had been arrested during the prior fiscal year;

(2) deported 63 percent fewer criminals than had been deported in the prior fiscal year; and

(3) issued 56 percent fewer “detainer requests” to local authorities than had been issued in the prior fiscal year;

Whereas, during fiscal year 2021, U.S. Customs and Border Protection made more than 1,700,000 arrests of illegal immigrants along the international border between the United States and Mexico, which was the highest level ever recorded until more than 2,300,000 illegal immigrants were arrested along such border during fiscal year 2022;

Whereas, on April 1, 2022, President Biden announced the termination of a public health policy used to expel potentially infected illegal immigrants during the COVID-19 pandemic (commonly known as “title 42”);

Whereas, on September 30, 2021, Department of Homeland Security Secretary Alejandro Mayorkas issued a memorandum titled “Guidelines for the Enforcement of Civil Immigration Law”, which stated that an alien’s illegal status in the United States should not be the sole basis of an enforcement action and prioritized for apprehension and removal aliens who are a threat to national security, public safety, or border security;

Whereas, on October 12, 2021, Secretary Mayorkas issued a memorandum titled “Worksite Enforcement: The Strategy to Protect the American Labor Market, the Conditions of the American Worksite, and the Dignity of the Individual”, which included Department-wide guidance to cease mass worksite operations, among other instructions;

Whereas, on October 27, 2021, Secretary Mayorkas issued a memorandum titled “Guidelines for Enforcement Actions in or Near Protected Areas”, which listed numerous protected areas where the enforcement of Federal immigration law should not occur;

Whereas, in May 2022, U.S. Customs and Border Protection arrested 239,416 illegal immigrants along the international border between the United States and Mexico, which is the highest number of arrests ever recorded in a single month;

Whereas President Biden’s fiscal year 2023 budget request aims to shift the Department of Homeland Security’s border management away from enforcement and toward “effectively managing irregular migration along the Southwest border”;

Whereas in November 2022, Texas Governor Greg Abbott—

(1) declared a state of invasion at the southern border; and

(2) increased security at the border to protect the state of Texas by invoking—

(A) section 10 of Article I of the Constitution of the United States; and

(B) the invasion clauses in the Texas Constitution;

Whereas in March 2023, at a hearing of the Committee on Homeland Security of the House of Representatives, U.S. Border Patrol Chief Raul Ortiz told lawmakers that the Department of Homeland Security did not have operational control of the border;

Whereas in March 2023, at a hearing of the Committee on the Judiciary of the Senate, Secretary of Homeland Security Alejandro Mayorkas stated that he does not use the statutory definition of operational control under section 2(b) of the Secure Fence Act of 2006 (Public Law 109-367; 8 U.S.C. 1701 note) when asked if the Department of Homeland Security had operational control of the border;

Whereas on January 6, 2023, the Biden Administration abused its parole authority under section 212(d)(5) of the Immigration Nationality Act (8 U.S.C. 1182(d)(5)) to create a new parole program for nationals of Cuba, Haiti, Nicaragua, and Venezuela;

Whereas on April 27, 2023, the Biden Administration further abused its parole authority by creating a new family reunification parole process, which grants parole to entire categories of aliens rather than granting parole on a case-by-case basis, as required under such section 212(d)(5);

Whereas the Biden Administration created a parole with conditions policy authorizing U.S. Border Patrol agents to release aliens through parole before they are given a Notice to Appear or entered into removal proceedings;

Whereas the Biden Administration has expanded the use of the CBP One app, allowing tens of thousands of aliens to enter the United States unlawfully to hide the mass immigration surge following the termination of the order of suspension issued by the Director of the Centers for Disease Control and Prevention under section 362 of the Public Health Service Act (42 U.S.C. 265) as a result of the public health emergency relating to the COVID-19 pandemic (commonly known as the “title 42 order”);

Whereas drug cartels are receiving an estimated \$13,000,000,000 each year from their human smuggling operations across the southern border of the United States, which represents an enormous increase from the estimated \$500,000,000 the drug cartels received in 2018 from such operations;

Whereas in March 2023, according to the non-detained docket, an estimated 5,290,000 illegal aliens were at large in the United States, including 407,983 criminal aliens;

Whereas the estimated fiscal burden of illegal immigration on taxpayers in fiscal year 2023 is estimated to be \$150,700,000,000, which is a massive increase from the estimated fiscal burden of \$116,000,000,000 during fiscal year 2017. Tax payments by illegal aliens are equal to approximately $\frac{1}{6}$ of the costs incurred by government entities in the United States on their behalf;

Whereas during fiscal year 2022, total Federal justice enforcement expenditures as a result of illegal immigration were \$25,100,000,000 and total Federal welfare program expenditures for illegal aliens were \$11,600,000,000;

Whereas in April 2023, the Biden Administration proposed a plan to expand healthcare

access for aliens granted deferred action pursuant to the final rule submitted by the Department of Homeland Security titled “Deferred Action for Childhood Arrivals” (87 Fed. Reg. 53152 (August 30, 2022)), further encouraging illegal aliens to enter the United States;

Whereas on May 3 2023, the Office of the Inspector General of the Department of Homeland Security issued a report titled “Intensifying Conditions at the Southwest Border Are Negatively Impacting CBP and ICE Employees’ Health and Morale”;

Whereas in June 2023, the Committee on Homeland Security of the House of Representatives opened an investigation into Secretary of Homeland Security Mayorkas for dereliction of duty;

Whereas in June 2023, an estimated 16,800,000 illegal aliens resided in the United States, which represents an increase of an estimated 16 percent during the first 2 years of the Biden presidency;

Whereas on June 30, 2023, U.S. Customs and Border Protection announced the expansion of available CBP One appointments to 1,450 per day;

Whereas U.S. Customs and Border Protection has apprehended illegal immigrants from Mexico, Guatemala, El Salvador, Nicaragua, Cuba, Haiti, Brazil, other Central and Latin American nations, Turkey, India, Russia, and other nations outside of the Western Hemisphere;

Whereas U.S. Customs and Border Patrol has apprehended 50 people since October 1, 2021 along the international border between the United States and Mexico who are listed on the Federal Bureau of Investigations’ terrorist screening database;

Whereas, U.S. Customs and Border Protection arrested more than 10,800 illegal aliens during fiscal year 2023 who have been convicted of 1 or more crimes in the United States or abroad, including—

- (1) 225 convicted sexual criminals;
- (2) 24 who were convicted of homicide or manslaughter;
- (3) 232 who were convicted of illegal weapons possession, transport, or trafficking;
- (4) 644 who were convicted of burglary, robbery, larceny, theft, or fraud; and
- (5) 924 who were convicted of assault, battery, or domestic violence;

Whereas, during fiscal year 2022, U.S. Customs and Border Protection seized—

- (1) 14,599 pounds of fentanyl;
- (2) 1,871 pounds of heroin;
- (3) 175,410 pounds of methamphetamine;
- (4) 70,293 pounds of cocaine; and
- (5) 13,755 pounds of ketamine;

Whereas, provisional data from the National Center for Health Statistics of the Centers for Disease Control and Prevention estimates that there were 107,622 drug overdose deaths in the United States during 2021, an increase of nearly 15 percent from the estimated 93,655 deaths in 2020, with overdose deaths involving opioids increasing from an estimated 70,029 in 2020 to an estimated 80,816 in 2021, and overdose deaths from synthetic opioids (primarily fentanyl), psychostimulants (such as methamphetamine), and cocaine also increasing during 2021.

Whereas clause 1 of section 10 of article I of the United States Constitution states, in part, “No State shall, without the Consent of Congress . . . engage in War, unless actually invaded, or in such imminent Danger as will not admit of delay.”;

Whereas section 4 of article IV of the United States Constitution states, in part, “The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against Invasion”;

Whereas, in the context of known security concerns due to a lack of proper vetting

processes and systems, and in conjunction with how the mass unlawful movement of people across the border of the United States directly empowers and enriches cartels and transnational gangs, the totality of such activity constitutes an invasion;

Whereas, on October 26, 2021, Arizona State Representative Jake Hoffman sent a letter to Arizona Attorney General Mark Brnovich requesting a formal legal opinion determining whether President Biden has violated his obligations to protect Arizona from invasion under section 4 of article IV of the United States Constitution; and

Whereas, on February 7, 2022, Arizona Attorney General Mark Brnovich issued a formal legal opinion, which states, in part—

(1) “The on-the-ground violence and lawlessness at Arizona’s border caused by cartels and gangs is extensive, well-documented, and persistent. It can satisfy the definition of ‘actually invaded’ and ‘invasion’ under the U.S. Constitution.”; and

(2) “Arizona retains the independent authority under the State Self-Defense Clause to defend itself when actually invaded.”; Now, therefore, be it

Resolved, That the Senate finds that—

(1) President Biden’s dereliction of duty and failure to take care that the laws be faithfully executed at our southern border has directly put the citizens of all 50 States in danger and has resulted in loss of life;

(2) the violent activity and smuggling of drugs, humans, guns, and other illicit goods carried out by drug cartels and transnational criminal organizations, and the crossing of the international border between legal ports of entry by significant numbers of individuals contrary to the laws of the United States, meet the definitions of—

(A) “actually invaded” under clause 3 of section 10 of article I of the United States Constitution; and

(B) “invasion” under section 4 of article IV of the United States Constitution; and

(3) Governors of all 50 States possess the authority and power as Commander-in-Chief of their respective States to repel the invasion described in paragraph (2).

SENATE RESOLUTION 363—SUPPORTING CONTINUED UNITED STATES AND TAIWAN COOPERATION IN EDUCATION

Mrs. BLACKBURN (for herself and Mr. MARKEY) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 363

Whereas Mandarin is the second most spoken language in the world with more than 1,000,000,000 speakers;

Whereas Mandarin is a critical language that is essential to United States national security and prosperity, as identified by the Department of State Critical Language Scholarship Program;

Whereas learning a foreign language benefits students academically and improves critical thinking, communication, and knowledge of different cultures;

Whereas the internet has made it easier for companies to serve a global market and employers report favoring candidates who can speak a foreign language;

Whereas, in December 2020, the U.S.-Taiwan Education Initiative, a two-way educational exchange between the two countries, was created—

(1) to expand opportunities for students from the United States to learn Mandarin from Taiwanese teachers;

(2) to promote United States educators choosing Taiwan as a destination to teach English; and

(3) to deepen educational cooperation between the United States and Taiwan;

Whereas the U.S.-Taiwan Education Initiative coincides with widespread closures of Confucius Institutes in the United States and around the world;

Whereas there continues to be high student demand for studies relating to Mandarin language, culture, and history delivered in a censorship and coercion-free environment; and

Whereas, due to continuing political, economic, and security challenges, there is a need for continued access to the Mandarin language and expertise in Taiwan affairs: Now, therefore, be it

Resolved, That the Senate—

(1) supports the U.S.-Taiwan Education Initiative; and

(2) encourages—

(A) institutions of higher education to continue partnering with Taiwan in order to meet the demand for Mandarin instruction and learning programs;

(B) schools, school districts, and State and local educational agencies to host teacher exchange programs, such as those offered by the Department of State Teachers of Critical Language Program; and

(C) United States teachers to choose Taiwan as a destination to learn Mandarin and to teach English, particularly through the J. William Fulbright Educational Exchange Program.

SENATE RESOLUTION 364—RELATING TO PROCEEDINGS OF THE SENATE IN THE EVENT OF A PARTIAL OR FULL SHUTDOWN OF THE FEDERAL GOVERNMENT

Mr. BENNET (for himself and Ms. ERNST) submitted the following resolution; which was referred to the Committee on Rules and Administration:

S. RES. 364

Resolved,

SECTION 1. SHORT TITLE.

This resolution may be cited as the “Shutdown Accountability Resolution”.

SEC. 2. PROCEEDINGS OF THE SENATE DURING A FULL OR PARTIAL GOVERNMENT SHUTDOWN.

(a) DEFINITIONS.—In this section—

(1) the term “Government shutdown” means a lapse in appropriations for 1 or more agencies of the Federal Government; and

(2) the term “Sergeant at Arms” means the Sergeant at Arms and Doorkeeper of the Senate.

(b) CONVENING OF THE SENATE.—

(1) IN GENERAL.—Notwithstanding any rule or order of the Senate, during the period of a Government shutdown—

(A) the Senate shall convene at 8:00 a.m. each day, unless the body is in continuous session; and

(B) it shall not be in order to ask for, and the Presiding Officer shall not entertain a request for, unanimous consent to change the hour or day on which the Senate shall convene under subparagraph (A).

(2) SENATE NOT IN SESSION.—If the Senate is not in session on the first calendar day of a Government shutdown, the majority leader, after consultation with the minority leader, shall notify Members of the Senate that, pursuant to this standing order, the Senate shall convene at 8:00 a.m. on the next calendar day of the Government shutdown.

(c) PRESENCE OF A QUORUM.—

(1) IN GENERAL.—During the period of a Government shutdown, and notwithstanding any provision of the Standing Rules of the Senate—

(A) immediately after the Presiding Officer takes the chair in accordance with rule IV of the Standing Rules of the Senate, the Presiding Officer shall direct the Clerk to call the roll to ascertain the presence of a quorum; and

(B) 1 hour after the presence of a quorum has last been demonstrated, the Presiding Officer shall direct the Clerk to call the roll to ascertain the presence of a quorum.

(2) LACK OF QUORUM.—

(A) IN GENERAL.—If, upon a calling of the roll under paragraph (1), it shall be ascertained that a quorum is not present—

(i) the Presiding Officer shall direct the Clerk to call the names of any absent Senators; and

(ii) following the calling of the names under clause (i), the Presiding Officer shall, without intervening motion or debate, submit to the Senate by a yea-and-nay vote the question: “Shall the Sergeant at Arms and Doorkeeper of the Senate be directed to request the attendance of absent Senators?”.

(B) DIRECTION TO COMPEL ATTENDANCE.—If a quorum is not present 15 minutes after the time at which the vote on a question submitted under subparagraph (A)(ii) starts, the Presiding Officer shall, without intervening motion or debate, submit to the Senate by a yea-and-nay vote the question: “Shall the Sergeant at Arms and Doorkeeper of the Senate be directed to compel the attendance of absent Senators?”.

(C) ARREST OF ABSENT SENATORS.—Effective 1 hour after the Sergeant at Arms is directed to compel the attendance of absent Senators under subparagraph (B), if any Senator not excused under rule XII of the Standing Rules of the Senate is not in attendance, the Senate shall be deemed to have agreed an order that reads as follows: “Ordered, That the Sergeant at Arms and Doorkeeper of the Senate be directed to arrest absent Senators; that warrants for the arrests of all Senators not sick nor excused be issued under the signature of the Presiding Officer and attested by the Secretary, and that such warrants be executed without delay.”.

(D) REPORTS.—Not less frequently than once per hour during proceedings to compel the attendance of absent Senators, the Sergeant at Arms shall submit to the Senate a report on absent Senators, which shall—

(i) be laid before the Senate;

(ii) identify each Senator whose absence is excused;

(iii) identify each Senator who is absent without excuse; and

(iv) for each Senator identified under clause (iii), provide information on the current location of the Senator.

(3) REGAINING THE FLOOR.—If a Senator had been recognized to speak at the time a call of the roll to ascertain the presence of a quorum was initiated under paragraph (2)(A), and if the presence of a quorum is established, that Senator shall be entitled to be recognized to speak.

(d) ADJOURNING AND RECESSING.—During the period of a Government shutdown—

(1) a motion to adjourn or to recess the Senate shall be decided by a yea-or-nay vote;

(2) if a quorum is present, the Presiding Officer shall not entertain a request to adjourn or recess the Senate by unanimous consent or to vitiate the yeas and nays on such a motion by unanimous consent;

(3) a motion to adjourn or a motion to recess made during the period beginning at 8:00 a.m. and ending at 11:59 p.m., shall only be agreed to upon an affirmative vote of two-thirds of the Senators present and voting, a quorum being present; and

(4) if the Senate must adjourn due to the absence of a quorum, the Senate shall reconvene 2 hours after the time at which it ad-

journs and ascertain the presence of a quorum in accordance with subsection (c)(1).

(e) NO SUSPENSION OF REQUIREMENTS.—The Presiding Officer may not entertain a request to suspend the operation of this standing order by unanimous consent or motion.

(f) CONSISTENCY WITH SENATE EMERGENCY PROCEDURES AND PRACTICES.—Nothing in this standing order shall be construed in a manner that is inconsistent with S. Res. 296 (108th Congress) or any other emergency procedures or practices of the Senate.

(g) STANDING ORDER.—This section shall be a standing order of the Senate.

SENATE RESOLUTION 365—HONORING THE 50TH ANNIVERSARY OF THE NATIONAL CEMETERY ADMINISTRATION OF THE DEPARTMENT OF VETERANS AFFAIRS

Mr. TESTER (for himself and Mr. MORAN) submitted the following resolution; which was considered and agreed to:

S. RES. 365

Whereas, in 1973, Congress passed the National Cemeteries Act of 1973 (Public Law 93-43), creating an agency within the Veterans Administration to oversee the national cemetery system;

Whereas, in 2023, the National Cemetery Administration (NCA) celebrates 50 years of upholding a sacred duty to inter, honor, and memorialize those who have served in the United States Armed Forces;

Whereas the National Cemetery Administration operates and ensures perpetual care of 155 national cemeteries and 34 soldiers' lots and monument sites that honor and serve as the final resting places for 4,000,000 veterans representing every era throughout the history of the United States;

Whereas the National Cemetery Administration provides burial and memorial benefits for eligible veterans and family members, at no cost, including—

(1) a gravesite or niche in any national cemetery with available space;

(2) opening and closing of the grave and perpetual care; and

(3) a government headstone, marker, or medallion, burial flag, and Presidential memorial certificate;

Whereas the establishment of the Veterans Cemetery Grants Program (VCGP) has furthered the commitment of the United States to the proper burial and honoring of veterans by awarding more than \$1,000,000,000 to assist States, Territories, and Tribal governments in establishing, expanding, and operating veterans' cemeteries that complement and help expand burial access;

Whereas, through the VCGP, the National Cemetery Administration has provided grant funding to 122 veterans' cemeteries in 49 States, Tribal trust lands, and Territories including Guam, Saipan, and Puerto Rico;

Whereas, in fiscal year 2022, the National Cemetery Administration processed more than 350,000 requests for headstones, markers, and medallions to honor veterans and their loved ones in national, State, Tribal, and private cemeteries, and issued more than 463,000 Presidential memorial certificates to the family members of veterans;

Whereas the sacred landscapes in national cemeteries and grant-funded veterans' cemeteries serve as places of solemn remembrance to convey the stories of generations of veterans encompassing the entirety of United States history, including 529 recipients of the Medal of Honor and those honored by nearly 1,370 military memorial monuments;

Whereas the consistent commitment of the National Cemetery Administration to “national shrine” standards of care for 50 years has preserved the beauty of the sites that veterans and their families deserve, welcoming more than 1,700,000 visitors at national cemeteries in fiscal year 2022, and has immortalized those who lay at rest on those sacred grounds, ensuring that all visitors, past and present, are able to bear witness to the serene and historic shrines and leave with a sense of awe and gratitude for the sacrifices those heroes made for the United States;

Whereas the National Cemetery Administration has been awarded a score of 97, the highest achieved score on record, in the reputable American Customer Satisfaction Index, leading all organizations, public or private, for the seventh consecutive time, a testament to the exemplary service of National Cemetery Administration team members to veterans and their families;

Whereas the National Cemetery Administration established the Veterans Legacy Program (VLP), which has funded 35 programs that engage students and teachers in communities large and small to further educate themselves and their communities on the legacies and service of veterans by using the expansive resources within the Department of Veterans Affairs, resulting in the production of over 2,500 veteran biographies, 50 documentary videos, and over 100 lesson plans; and

Whereas the National Cemetery Administration continues to memorialize the stories and sacrifices of veterans through the Veterans Legacy Memorial (VLM), a digital interactive platform created to preserve the memories of nearly 5,000,000 veterans laid to rest in cemeteries managed and funded by the Department of Veterans Affairs, Department of Defense cemeteries, and National Park Service cemeteries; Now, therefore, be it

Resolved, That the Senate—

(1) applauds the National Cemetery Administration, on its 50th anniversary, having stood firm in its mission of ensuring proper final resting places adhering to national shrine standards that commemorate the extraordinary commitment of veterans and their families to the United States;

(2) recognizes that the National Cemetery Administration has been a driving force in the preservation of, and passing down, the heroic heritage and stories of members of the United States Armed Forces of all backgrounds, from all corners of the United States, and in educating future generations on the importance of the service and sacrifice of veterans; and

(3) commends the individuals who work for the National Cemetery Administration for their continued excellence ensuring that the veterans of the United States are forever honored and remembered in the hallowed grounds of the national cemeteries of the Department of Veterans Affairs.

SENATE RESOLUTION 366—DESIGNATING SEPTEMBER 2023 AS “SCHOOL BUS SAFETY MONTH”

Mrs. FISCHER (for herself and Mr. PETERS) submitted the following resolution; which was considered and agreed to:

S. RES. 366

Whereas, in an average year, on every school day in the United States, approximately 506,520 public and private school buses carry more than 26,000,000 K-12 students to and from school;

Whereas school buses comprise the largest mass transportation fleet in the United States;

Whereas, in an average year, 48 percent of all K-12 students ride a school bus for each of the 180 school days in a year, and school bus operators drive school buses a total of nearly 4,400,000,000 miles;

Whereas the Child Safety Network (referred to in this preamble as the "CSN"), which is celebrating 34 years of public service in the United States, supports the CSN Safe Ride campaign, which is designed to provide the school bus industry with driver training, the latest technology, and free safety and security resources, including resources to help parents raise safer and healthier children;

Whereas the designation of School Bus Safety Month will allow broadcast and digital media and social networking industries to commit to disseminating public service announcements that are produced to—

(1) provide free resources designed to safeguard children;

(2) recognize school bus operators and professionals; and

(3) encourage the driving public to engage in safer driving behavior near school buses when students board and disembark from school buses;

Whereas key leaders who deserve recognition during School Bus Safety Month and beyond have—

(1) provided security awareness training materials to more than 14,000 public and private schools;

(2) trained more than 118,139 school bus operators; and

(3) provided more than 166,798 counterterrorism guides to individuals who are key to providing both safety and security for children in the United States; and

Whereas School Bus Safety Month offers the Senate and the people of the United States an opportunity to recognize and thank the school bus operators and the professionals focused on school bus safety and security in the United States: Now, therefore, be it

Resolved, That the Senate designates September 2023 as "School Bus Safety Month".

SENATE RESOLUTION 367—DESIGNATING SEPTEMBER 2023 AS "NATIONAL SPINAL CORD INJURY AWARENESS MONTH"

Mr. RUBIO (for himself and Ms. BALDWIN) submitted the following resolution; which was considered and agreed to:

S. RES. 367

Whereas approximately 302,000 individuals in the United States live with spinal cord injuries, which cost society billions of dollars in health care costs and lost wages;

Whereas there are approximately 18,000 new spinal cord injuries in the United States each year;

Whereas more than 42,000 individuals with spinal cord injuries are veterans;

Whereas motor vehicle accidents are the leading cause of spinal cord injuries;

Whereas almost half of all spinal cord injuries sustained by individuals 30 years of age or younger occur as a result of a vehicular accident;

Whereas the average remaining years of life for individuals living with spinal cord injuries has not improved significantly since the 1980s;

Whereas there is an urgent need to develop new neuroprotection, pharmacological, and regeneration treatments to reduce, prevent, and reverse paralysis; and

Whereas increased education and investment in research are key factors in improving outcomes for individuals living with spinal cord injuries, enhancing the quality of life of individuals with spinal cord injuries, and ultimately curing paralysis: Now, therefore, be it

Resolved, That the Senate—

(1) designates September 2023 as "National Spinal Cord Injury Awareness Month";

(2) supports the goals and ideals of National Spinal Cord Injury Awareness Month;

(3) continues to support research to find better treatments, therapies, and a cure for spinal cord injuries;

(4) supports clinical trials for new therapies that offer promise and hope to individuals living with paralysis; and

(5) commends the dedication of national, regional, and local organizations, researchers, doctors, volunteers, and people across the United States who are working to improve the quality of life of individuals living with spinal cord injuries and their families.

SENATE RESOLUTION 368—SUPPORTING THE DESIGNATION OF THE WEEK OF SEPTEMBER 17 THROUGH SEPTEMBER 23, 2023, AS "TELEHEALTH AWARENESS WEEK"

Mr. SCHATZ (for himself, Mr. WICKER, Mr. CARDIN, Mr. THUNE, Mr. WARNER, and Mrs. HYDE-SMITH) submitted the following resolution; which was considered and agreed to:

S. RES. 368

Whereas telehealth allows a health care practitioner to furnish health care to a patient or a practitioner at a different physical location than the health care practitioner;

Whereas telehealth played a significant role in supporting access to quality health care for millions of patients during the COVID-19 public health emergency and continues to be important beyond the end of the public health emergency;

Whereas Medicare beneficiaries used 88 times more telehealth services during the first year of the COVID-19 pandemic than they did in the prior year;

Whereas more than 8,000,000 unique Medicare beneficiaries received at least 1 telehealth service in 2022;

Whereas, in 2022, over 90 percent of Medicare beneficiaries who received a telehealth service were satisfied with their experience;

Whereas, in 2022, telehealth was a routine health care modality with 15 percent of Medicare beneficiaries using telehealth in the last quarter of the calendar year;

Whereas, following the unprecedented use of telehealth services in response to the public health emergency, telehealth now represents a critical component of health care delivery;

Whereas legislative efforts to increase telehealth access have received bipartisan support in the Senate and the House of Representatives;

Whereas the United States has an opportunity to help improve access to health care for all individuals, including members of rural and underserved communities; and

Whereas "Telehealth Awareness Week" unites the efforts of patients, caregivers, health care providers, policymakers, and other stakeholders to advance the role of telehealth in health care: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of September 17 through September 23, 2023, as "Telehealth Awareness Week";

(2) recognizes the impact of telehealth in delivering health care for patients across the United States; and

(3) urges that steps should be taken to—

(A) raise awareness about the benefits of telehealth;

(B) highlight resources for health care providers and patients regarding telehealth;

(C) collect and analyze data on the impacts of telehealth; and

(D) promote continued access to telehealth for all communities and across settings.

SENATE RESOLUTION 369—EXPRESSING SUPPORT FOR THE DESIGNATION OF SEPTEMBER 2023 AS "SICKLE CELL DISEASE AWARENESS MONTH" IN ORDER TO EDUCATE COMMUNITIES ACROSS THE UNITED STATES ABOUT SICKLE CELL DISEASE AND THE NEED FOR RESEARCH, EARLY DETECTION METHODS, EFFECTIVE TREATMENTS, AND PREVENTATIVE CARE PROGRAMS WITH RESPECT TO COMPLICATIONS FROM SICKLE CELL DISEASE AND CONDITIONS RELATED TO SICKLE CELL DISEASE

Mr. BOOKER (for Mr. SCOTT of South Carolina (for himself, Mr. BOOKER, Mr. WARNOCK, Mr. LANKFORD, Mr. BROWN, Mr. RUBIO, Ms. STABENOW, Mr. YOUNG, Mrs. FEINSTEIN, Mrs. HYDE-SMITH, Mr. PADILLA, Mr. CARPER, and Ms. WARREN)) submitted the following resolution; which was considered and agreed to:

S. RES. 369

Whereas sickle cell disease (referred to in this preamble as "SCD") is an inherited blood disorder that is a major health problem in the United States and worldwide;

Whereas SCD causes the rapid destruction of sickle cells, which results in multiple medical complications, including anemia, jaundice, gallstones, strokes, restricted blood flow, damaged tissue in the liver, spleen, and kidneys, and death;

Whereas SCD causes acute and chronic episodes of severe pain;

Whereas SCD affects an estimated 100,000 individuals in the United States;

Whereas approximately 1,000 babies are born with SCD each year in the United States, with the disease occurring in approximately 1 in 365 newborn Black or African-American infants and 1 in 16,300 newborn Hispanic-American infants, and can be found in individuals of Mediterranean, Middle Eastern, Asian, and Indian origin;

Whereas more than 3,000,000 individuals in the United States have the sickle cell trait and 1 in 13 Black or African Americans carries the trait;

Whereas there is a 1 in 4 chance that a child born to parents who both have the sickle cell trait will have the disease;

Whereas the life expectancy of an individual with SCD in the United States is often severely limited;

Whereas sickle cell anemia can shorten life expectancy by more than 20 years;

Whereas sickle cell anemia is a common cause of childhood stroke, and, in 2019, fewer than half of children with sickle cell anemia who were 2 to 16 years old received the recommended screening for stroke;

Whereas, in 2019, only 2 in 5 children with sickle cell anemia who were 2 to 9 years old used recommended medication that can prevent sickle cell anemia complications;

Whereas, in 2020, the National Academies of Science, Engineering, and Medicine developed a comprehensive strategic plan and blueprint for action to address sickle cell disease, which, among other things, cited the need for new innovative therapies as well as the need to address barriers that may impact delivery of and access to approved treatments;

Whereas, while hematopoietic stem cell transplantation (commonly known as "HSCT") is currently the only cure for SCD and advances in treating the associated complications of SCD have occurred, more research is needed to find widely available treatments and cures to help individuals with SCD; and

Whereas September 2023 has been designated as Sickle Cell Disease Awareness Month in order to educate communities across the United States about SCD, including early detection methods, effective treatments, and preventative care programs with respect to complications from SCD and conditions related to SCD: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of "Sickle Cell Disease Awareness Month"; and

(2) encourages the people of the United States to hold appropriate programs, events, and activities during Sickle Cell Disease Awareness Month to raise public awareness of the sickle cell trait, preventative care programs, treatments, and other patient services for those suffering from sickle cell disease, complications from sickle cell disease, and conditions related to sickle cell disease.

ORDERS FOR WEDNESDAY,
SEPTEMBER 27, 2023

Mr. SCHUMER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it recess until 10 a.m. on Wednesday, September 27; that following the prayer and pledge, 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 resume consideration of the motion to proceed to H.R. 3935, postclosure; that the Senate recess from 12:30 to 2:15 p.m. to allow for the weekly caucus meetings; finally, that all time during adjournment, recess, morning business, and leader remarks count towards postclosure debate time.

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

RECESS UNTIL WEDNESDAY,
SEPTEMBER 27, 2023, AT 10 A.M.

Mr. SCHUMER. Mr. President, if there is no further business to come before the Senate, I ask that it stand in recess under the previous order.

There being no objection, the Senate, at 7:04 p.m., recessed until Wednesday, September 27, at 10 a.m.