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Senate

The Senate met at 10 a.m. and was called to order by the Honorable RAPHAEL G. WARNOCK, a Senator from the State of Georgia.

PRAYER

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

Let us pray.

Eternal God, who soars on the wings of the wind, we cry to You, and You hear us. You rescue us from life's deep waters, restoring us when we feel powerless.

Continue to show Yourself faithful as our lawmakers seek to accomplish your purposes. Lord, be a shield for them as they place their trust in You. When they lose their courage, continue to be the God of their salvation. When they cry to You for help, answer their request. When they feel the pains of despair, fill them with Your hope, peace, and love. May they always remember that You will never forsake them.

We pray in Your precious 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 legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, October 24, 2023.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable RAPHAEL G. WARNOCK, a Senator from the State of Georgia, to perform the duties of the Chair.

PATTY MURRAY,
President pro tempore.

Mr. WARNOCK 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.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session to resume consideration of the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Michael G. Whitaker, of Vermont, to be Administrator of the Federal Aviation Administration for the term of five years.

RECOGNITION OF THE MAJORITY LEADER

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

GOVERNMENT FUNDING

Mr. SCHUMER. Mr. President, last week, President Biden addressed the Nation from the Oval Office to affirm that America will stand with her friends and allies in the face of authoritarians like China, Russia, and Iran, who seek to annihilate democracy.

The future of democracy around the world faces the greatest threat since the end of the Cold War. At this pivotal

moment in history, America is once again called upon to rise to the occasion and to lead the way.

President Biden has now sent Congress a supplemental funding request with aid for our ally and partner Israel, aid for our friends in Ukraine, and funding to outcompete the Chinese Government and secure our southern border from threats like fentanyl. We must pass this supplemental as soon as we can with bipartisan support for a simple and important reason: It will make the world safer for the United States, for our allies, and for our democratic values.

In Europe, Vladimir Putin continues his onslaught against the Ukrainian people, and it is foolish to think he will stop there. In the Middle East, Hamas's brutal terrorism murdered the most Jewish people in a single day since the Holocaust and threatens our strongest ally in the Middle East. Democrats and Republicans alike know that if Putin, Hamas, or other adversaries succeed, it would endanger Americans around the world.

Now that Congress has received the President's request, I will make it a top priority for the Senate to act quickly, decisively, and most importantly, with strong bipartisan conviction.

Bipartisanship must lead the way as we take up the President's supplemental request.

To my Republican colleagues, let's work together to ensure that this process remains bipartisan, because only things that win support from both sides will make it to the President's desk.

Democrats and Republicans agree we must stand with Israel. So let's pass this supplemental, with humanitarian aid to help civilians in Gaza and elsewhere, as soon as we can.

Democrats and Republicans also agree we must stand with Ukraine. After all, over 70 Members voted for Ukraine funding last month in our CR. So let's pass this supplemental as soon as we can.

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



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And both sides want to outcompete the Chinese Government, secure our border from threats like fentanyl, and provide humanitarian aid to minimize civilian casualties in both Israel and Gaza.

All of these priorities are bipartisan. All of these provisions are included in the President's request. So let's get to work in the coming weeks to pass this supplemental package quickly and with strong bipartisan support.

With the House of Representatives in paralysis, the Senate will not wait to act. We will step into the breach and make sure the business of legislating continues. And if we act with enough bipartisan conviction, I believe it would go a long way to pushing the House to getting its act together and following suit.

The world will watch very closely what actions we take in Congress over the next couple weeks. We must send an unmistakable message to the country, to our allies, and to our adversaries that America will always spring to the defense of our allies in their hour of need. That is why we must pass this supplemental as soon as we can.

GOVERNMENT FUNDING

Mr. President, now, on appropriations, Democrat and Republican appropriators continue making progress on an agreement to move forward on three bipartisan funding bills here on the floor. We worked all last week to clear the objections from some of our Republican colleagues, and we kept talking over the weekend in good faith.

We are not there yet, but it is my hope we can reach an agreement to begin voting on amendments very soon, in all likelihood by tomorrow morning. But, again, we need a little more time to keep working.

Here in the Senate, unlike the chaos of the House, most Members on both sides want to see bipartisanship because we know that is the only way things move forward in divided government. A clean Senate appropriations process, without poison pills or dilatory tactics, is one of the best ways we can show our desire for bipartisanship is serious, and I am optimistic we are nearly, nearly there.

I thank the Senate appropriators, Chairman MURRAY, Vice Chair COLLINS, and all the other Members, on both sides, for bringing us close to an agreement. I hope to see one very soon.

ARTIFICIAL INTELLIGENCE

Mr. President, now, on our second AI Insight Forum, later this afternoon the Senate will hold our second bipartisan AI Insight Forum, focusing on our North Star for AI: innovation. Our forum begins at 3 today in the Kennedy Caucus Room, and I encourage my colleagues from both sides of the aisle to attend.

We had a strong bipartisan turnout for our inaugural AI Insight Forum, and I hope we will see the same today. It is important to show how bipartisan and how seriously we are taking AI here in the Senate.

Today's AI Insight Forum includes some of the Nation's leading voices in labor, academia, business, tech, civil rights, and others, coming together to hold an unvarnished, candid, and urgent debate on AI. The topic today will be how Congress and the private sector can foster innovation. We will talk about the need for transformative innovation—the types of AI systems that will create new vistas, unlock new cures, improve education, protect national security, preserve the global food supply, and more. But we will also talk about the need for sustainable innovation—innovations that can solve the deep challenges of AI, like increasing transparency and security, and reducing bias and risk. And this means supporting effective guardrails, because everyone agreed at our last forum, from one end of the spectrum to the other, that if the Federal Government doesn't impose some guardrails, there will be none, and the whole invention of AI could come tumbling down.

We need to prioritize both transformative and sustainable innovation. We must find a balance between innovation and guardrails, without going too far in one direction and hurting the other.

And I want to thank my colleagues in our bipartisan AI little gang—Senators ROUND, HEINRICH, and YOUNG—for helping to organize and run today's AI Insight Forum.

Again, for the information of Senators, our forum begins at 3 p.m. today in the Kennedy Caucus Room. I hope to see you all there.

TECH HUBS

Mr. President, now, on tech hubs, yesterday was a really exciting day, thanks to two words: "tech hubs." I spent the day traveling across Upstate New York, sharing the great news that the Buffalo-Rochester-Syracuse and the Binghamton region just won prestigious tech hub designation that I created in our CHIPS and Science Act. This announcement means one thing: More good-paying, long-lasting jobs are coming to Upstate New York, an area that has seen so many companies leave over the last three or four decades.

Yesterday's tech hubs celebration was something I have been working hard toward for a very long time. When I was writing the tech hubs program with Senator YOUNG into our bipartisan Endless Frontiers Act, and then into the CHIPS and Science Act, I had Upstate New York in mind, and, now, thanks to this new designation, communities and cities across Upstate New York are facing an awakening. The region is now primed to become a global hub for workforce training, innovation, and semiconductor manufacturing.

But it is not just Upstate New York that is affected. It is a metaphor for the whole country. There are 2 tech hubs in New York and 30 others around the country, from coast to coast, in red States and blue States. And when I talked about tech hubs for cities like

Rochester and Buffalo and Syracuse and Binghamton, my colleague and friend on the Republican side, TODD YOUNG, was talking about tech hubs in his State of Indiana, in places like Indianapolis, South Bend, and Fort Wayne.

The whole idea is this. The tech industry has gravitated to a few large cities—my own city of New York, which has greatly benefitted, San Francisco, Boston, Austin, and Los Angeles—but there is a load of talent in the rest of the country. It is just that no one paid attention to these places. That is the idea of tech hubs.

There were 400 applications for tech hubs across the country in the Department of Commerce, and I salute Secretary Raimondo, who was very careful in picking the places where it could actually work, and that is why there are 30.

So this is a great thing, and it will spread. It will take advantage of the talent that already exists in the companies and universities and individuals and schools—in the heartland of the country, not just on the coasts—and give them a real chance to take part and create tens of thousands—millions—of good-paying jobs in every part of the country.

So I was really proud of the tech hubs proposal, and it is going to continue. We are going to put more funding into it. We are going to do everything we can to help tech hubs grow and help America grow and stay No. 1 in the world, because when we invest in science and high-end manufacturing and research, everybody—everybody—benefits.

So this is good news in red States and in blue States. Secretary Raimondo didn't look around and just say, "Oh, we can only do blue States," like Donald Trump might have done. She has put them in all the places that there can be new help.

So let's look at the contrast here, folks. While the House Republicans struggle to even select a Speaker, these tech hub announcements show that President Biden and Democrats are delivering, putting tens of thousands of people to work in good-paying jobs, opening new plants and factories, and securing American leadership in the technologies of tomorrow.

Not in a very long time has the contrast between the parties been as glaring as today. When Democrats lead the way, Americans see more jobs, more manufacturing, lower costs. When Republicans are in charge—rightwing Republicans, not all of them, but the rightwing seem to be running the show of these MAGA Republicans—it leads to paralysis, chaos, and extremism.

No matter how the GOP impasse in the House is resolved, we will not change our focus as Democrats. We will create more jobs, work to lower costs, and do it on a bipartisan basis wherever we can.

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.

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

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

RECOGNITION OF THE MINORITY LEADER

The Republican leader is recognized.

BORDER SECURITY

Mr. MCCONNELL. Mr. President, over the weekend, the southern border crisis set a sobering new record. In the past year, CBP conducted more border apprehensions than in any year on record. Officials reported more than 2.4 million apprehensions since last October, and this number doesn't even count the illegal entries that actually evaded authorities.

Most alarmingly, this news isn't actually new. Last year was the third straight year we set an all-time record for border apprehensions. In other words, every year that President Biden has been in charge of border security, his administration hasn't simply failed; it has failed to a historic and catastrophic degree.

America has had functionally open borders for years. Along with millions of illegal aliens, we have allowed Chinese fentanyl and other lethal drugs to literally pour into our country and kill thousands of Americans every year.

So the Democrats' border crisis isn't new. What is new is their supposed desire to finally do something about it. Now that blue State mayors and Governors are starting to feel the consequences of this catastrophic policy failure, the Biden administration says it now wants to take action. Of course, the administration mostly just wants to throw money at the problem and at its friends in local government. Apparently, the preferred response to a border crisis is a blue State bailout.

Meanwhile, a particularly dangerous consequence of the President's border crisis is making history of its own. In the past year, southern border apprehensions of individuals on the terror watchlist broke an alltime record, the record that was just set the year before.

Even President Biden's Department of Homeland Security has admitted in its 2024 "Homeland Threat Assessment" that "record encounters of migrants arriving from a growing number of countries have complicated border and immigration security."

The American people have watched the Biden administration spend their way into plenty of problems, but they haven't managed to spend their way out of a single one yet.

Our country deserves real law enforcement and real borders. Border security is national security. And on that front, the Senate has a lot of work to do.

ISRAEL

Mr. President, on a related matter, in the coming days and weeks, the Senate

will work urgently to address several major, related threats to the American people, to our allies, and our interests at home and abroad.

After Russia's escalation against Ukraine last year, the savage Iran-backed terrorist attacks on Israel, once again, reminded the civilized world of the persistent evil that demands our attention and our action.

The United States must stand with our ally Israel for as long as it takes to restore its security, and we have a responsibility not to look away from the brutality and inhumanity the terrorists inflicted on innocent Israeli men, women, and children.

Unfortunately, our own Western media haven't made that task any easier. Some of the most disturbing firsthand accounts reported the savages responsible for the October 7 attacks had beheaded Israeli infants and committed other unspeakable atrocities. Some in the press leapt to express skepticism and even discredit the reports of eyewitnesses. But these sickening accounts were proven to be true.

In an especially reckless example, America's "paper of record" took the word of Gaza's terrorist overlords and actually announced to the world that an apparent explosion at a hospital had been an Israeli strike that killed hundreds of people.

We know now it was the terrorists themselves whose rockets struck the Palestinian civilian target. But as the saying goes, this dangerous lie had traveled around the world before truth had literally laced up its shoes.

Perhaps the corporate media organizations that have spent years warning about disinformation should exercise a bit more caution with the claims of a terrorist organization that uses civilians as human shields.

So let us get a few things straight. There is a humanitarian crisis in Gaza. People are suffering. But the blame for their suffering belongs solely to the terrorists who divert humanitarian and economic assistance and build terror tunnels and rocket launchers instead. And the solution is not to use the same corrupted mechanisms to allow Hamas to further exploit this crisis of its own making.

The Israeli Government's stated intention is to destroy Hamas's capacity to wage war and end the stranglehold of Gaza.

And the West has every reason to expect that Israel will hold itself—as it always does—to the highest standards of humane conduct. But make no mistake, war is hell. This will be a difficult, bloody, and costly fight. And we know Hamas's propaganda machine will do everything possible to exploit every inadvertent civilian casualty.

There can be no moral equivalence between terrorism and self-defense. The President must give Israel the time and space it needs to achieve its military objectives in Gaza. America should assist Israel with any intelligence, planning, and resources their

military requires. This includes coordinating closely with Israel to ensure new channels for international humanitarian assistance and prevent Hamas from again expropriating it.

Hamas is Israel's primary focus, but it is clear that Iran's Hezbollah proxies in Syria and Lebanon are toeing up to the line.

Israel has responded quickly and decisively to repeated attacks from Lebanon in recent weeks, and the United States and other Israeli partners should make clear that Hezbollah and Iran will face devastating consequences if they escalate the situation.

Unfortunately, terrorists have also escalated their attacks on American forces in the region. Reports indicate multiple attacks in recent days in Iraq and in Syria. As one U.S. official put it, there are "red lights flashing everywhere."

Deterrance has failed, and the United States must restore it before Iran-backed terrorists kill Americans. We must strike back hard at anyone who targets U.S. personnel.

More broadly, it is time for President Biden to close the book on his failed Iran policy. It is past time to work with Republicans to craft a bipartisan Iran strategy that will actually outlive this administration, unite America's allies, and counter the full range of threats Iran poses to the region and to the world. This has to include confronting Iran's role as the world's most active state sponsor of terror. We ignore this growing threat at our own peril.

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.

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

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

NOMINATION OF MICHAEL G. WHITAKER

Mr. SCHATZ. Madam President, a quick note about the business pending before the Senate: leadership at the FAA, the Federal Aviation Administration.

It has been more than 18 months since the FAA last had a Senate-confirmed leader, and in that time, we have seen an alarming number of close calls on runways and operational challenges, including the outage of the critical Notice to Air Missions system. Compounding these issues is a shortage of air traffic controllers that has led to flight delays and cancelations.

The FAA urgently needs a permanent leader to address these concurrent challenges and guarantee the safety of travelers. Michael Whitaker is that leader, and I am glad that the Senate is going to confirm him over the next day or so.

ARTIFICIAL INTELLIGENCE

Madam President, next, I would like to turn to a different topic.

Seeing is believing, we often say. But that is not really true anymore because, thanks to artificial intelligence, we are increasingly encountering fake images, doctored videos, and manipulated audio. Whether we are watching TV, answering the phone, or scrolling through our social media feeds, it has become harder and harder to trust our own eyes and our own ears. The boundaries of reality are becoming blurrier every day.

We have always consumed information under the assumption that what we are seeing and hearing is coming from the source that it says it is from and that a human has created it. It is such a basic notion that it is left unsaid and taken for granted. But right now, that assumption is under threat.

Deception is not new. Fraud is not new. Misinformation is not new. These are age-old problems, of course. What is new, though, is how quickly and easily someone can deceive or defraud and do it on a staggering scale. With powerful generative AI tools at their fingertips, all con artists need are just a few minutes to spin up a scam or a lie: doctored images falsely claiming that there was an explosion at the Pentagon, fake advertisements using the likenesses of celebrities like Tom Hanks to peddle products, phone calls that replicate the voices of family members purporting to be kidnapped and needing money, manipulated audio clips of elected officials saying things they did not say.

These are just some of the examples of misuse we have already seen. It is not a parade of horrors about the future of AI; these are things that already happened.

We are only scratching the surface of what is possible with AI, and because the possibilities are so vast—much of it yet to be discovered—it is easy to feel overwhelmed by it all, to think it is so complex, you don't even know where to start. But we do know where to start.

This issue of distinguishing whether content is made by a human or made by a machine actually has a very straightforward solution. Content made by AI should be clearly labeled as such so that people know what they are looking at. That is exactly what the bipartisan AI Labeling Act that Senator KENNEDY and I introduced calls for. It puts the onus where it belongs: on the companies and not the consumers—very straightforward—because people shouldn't have to double- and triple-check or parse through thick lines of code to find out whether something was made by AI. It should be right there in the open, clearly marked with a label.

Labels will help people to be informed. They will also help companies using AI build trust in their content. We have a crisis of trust in our information sources, in large part due to polarization and misinformation. But if the current situation seems bad without guardrails, the coming onslaught of AI-generated content will make the

problem much, much worse. Misinformation will multiply. Scams will skyrocket. Labels are an important antidote to these problems in the age of AI.

Whether we are ready or not, AI is here, and in the not too distant future, it will reshape virtually every facet of our lives—how we work, how our kids learn in school, how we get healthcare, to name a few. So to wait to take action or, worse, to do nothing at all is not a good option. We have seen that movie before with foreign interference in our elections, with medical misinformation that claims so many lives, and with data breaches that left Americans exposed and vulnerable.

This moment requires us to get serious about legislating proactively, not belatedly reacting to the latest innovation. Yes, Congress has a lot more to learn about AI, both its opportunities and threats. Yes, there is no simple answer or single solution for a very, very complex challenge and set of opportunities. But there is one thing we know to be true right now: People deserve to know if the content they are encountering was made by a human or not. This isn't a radical, new idea; it is common sense.

There is a long road ahead for regulating AI in the policymaking space, but that should not prevent us from doing this good and sensible thing as soon as we can.

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.

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

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

ORDER OF PROCEDURE

Mr. SCHUMER. Madam President, I ask unanimous consent that at a time to be determined by the majority leader in consultation with the Republican leader, the Senate resume consideration of Calendar No. 198, H.R. 4366; that during the consideration of Calendar No. 198, H.R. 4366, Murray-Collins substitute amendment No. 1092 be considered an Appropriations Committee amendment for the purposes of rule XVI, with no other rule XVI points of order waived by this agreement; that H.R. 4366, H.R. 4368, as reported by the House of Representatives on June 27, 2023, and H.R. 4820, as reported in the House of Representatives on July 24, 2023, serve as the basis for defense of germaneness under rule XVI for any floor amendments and that it be in order for floor amendments to amend the substitute in more than one place;

further, that the only amendments in order to the Murray-Collins substitute amendment No. 1092 be the following amendments, if offered, and that at a time to be determined by the majority leader in consultation with the Republican leader, the Senate vote on the

amendments: Moran, No. 1250; Daines, No. 1185; Sullivan, No. 1216; Sullivan, No. 1221; Peters-Cornyn, No. 1283; Rosen, No. 1117; Schatz, No. 1120; Booker-Tuberville, No. 1175; Tillis-Welch, No. 1264; Reed, No. 1202; Britt, No. 1270; Kelly-Tillis, No. 1116; Hirono-Moran, No. 1113; Warnock-Cornyn, No. 1351; Smith-Ricketts, No. 1134; Rosen-Crapo, No. 1220; Cardin, No. 1277; Padilla, No. 1140; Shaheen, No. 1131; Klobuchar-Moran, No. 1203; Kelly, No. 1133; Padilla, No. 1139; Ossoff-Braun, No. 1255; Merkley-Crapo, No. 1352; Ernst, No. 1177; Stabenow, No. 1115; Vance, No. 1210; Rubio, No. 1237; Kennedy, No. 1354; Braun, No. 1182; Hawley, No. 1200; Cruz, No. 1296; Blackburn, No. 1349; Budd, No. 1243; Cramer, No. 1241; Paul, No. 1217; Paul, No. 1347; Cruz, No. 1249; Lankford, No. 1232; and Lee, No. 1121; further, that 60 affirmative votes be required for the adoption of the following amendments: Cramer, No. 1241; Paul, No. 1217; Paul, No. 1347; Cruz, No. 1249; Lankford, No. 1232; and Lee, No. 1121; further, that upon disposition of the amendments listed above, the Senate vote on adoption of substitute amendment No. 1092, as amended, if amended, with a 60 affirmative vote threshold required for adoption; that the bill, as amended, if amended, be read a third time and the Senate vote on passage of the bill, as amended, if amended, with a 60 vote affirmative threshold required for passage; finally, that upon disposition of the bill, the Committee on Appropriations be discharged from further consideration and the Senate proceed to the immediate consideration of H.R. 662, the Scott-Rubio substitute amendment at the desk be considered and agreed to, the bill, as amended, be read a third time, and the Senate vote on passage of the bill, as amended, with a 60 affirmative vote threshold required for passage, without intervening action or debate.

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

APPROPRIATIONS

Madam President, we are now moving forward after many weeks delay on the omnibus—no, not the omnibus but the three appropriations bills—Agriculture, MILCON and T-HUD—as one package, as one minibus.

We have pledged as Democrats to try and go through regular order. It has been a long and arduous process. As you can see, there are 46 amendments here and, in fact, even though there was a pledge there would be no poison pills, there were many poison pills that were offered by the other side. However, instead of just saying, “Well, we didn't have an agreement; let the bill go down the drain,” we want to get this bill done. It is important to move the appropriations bills. We worked long and hard. It took a while to work through the vagaries and negotiations on many poison pill amendments that, in my judgment, shouldn't have been offered to begin with. But here we are; we are moving forward.

I want to thank Appropriations Chair MURRAY. She has done an amazing,

amazing job here. I want to thank Leader COLLINS and thank all of our colleagues for working this out. Under the old days, regular order would have been a lot different than it is today. We are still moving forward, and I am glad for it.

I yield to the distinguished and hard-working chair of the Appropriations Committee, Senator MURRAY.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Madam President, after many discussions with Members on both sides of the aisle about ensuring a robust amendment process and a final vote on this strong bipartisan package of appropriations bills, I am pleased to say we have reached an agreement to finally get voting on the amendments and passage of this minibus.

I want to thank everyone who has worked with me and the senior Senator from Maine so we can get this process moving again to show the American people this place can actually work.

This is so important, especially right now because over the last few weeks, the American people have seen a lot of chaos and dysfunction in Congress. It has come at a time when the world needs to see U.S. leadership is still strong because it is not just the American people who are watching Congress right now. Our allies are watching. Our adversaries are watching. We need to show them that we are still able to work together and solve problems and respond effectively to the pressing challenges of this moment. And this is an important opportunity to do just that.

By passing this package, we can continue moving on our appropriations process and we can show that, by working together in a bipartisan way, you can actually get things done in a divided Congress. And that is important because there is a lot we absolutely have to get done. There is this first package of appropriations bills. There is the rest of our appropriations bills and the pressing need to address all sorts of urgent priorities, including supplemental funding to support our allies in Ukraine, Israel, and Taiwan; to deliver additional disaster relief; address the worsening childcare crisis; and more. Getting all of this done is going to require us to put aside our differences and work together.

By passing this minibus, we can show that Congress is still capable of doing that, because this spending package is a prime example of what it looks like when Democrats and Republicans come together and focus on solving problems and helping people. It follows the bipartisan debt limit deal. It includes input from members across the country and across the political spectrum. And the bills in this package passed the Appropriations Committee unanimously.

In other words, this is a serious bipartisan legislation that can be signed into law; and it provides crucial resources to care for our veterans, to

fund military construction, to keep our food supply safe, to support our farmers, keep our travelers safe, invest in infrastructure, and a lot more.

We should pass this bill, show we can still focus on solutions, find common ground, and help people, like we were all sent here to do. And we can get our appropriations process back on track and continue our return to regular order, which, I know, so many Senators across the aisle and on this side have asked for.

To every one of my colleagues who has said we need to move away from massive end-of-year omnibus, I agree. This is your chance to avoid one. If we don't get this passed, we are giving up a crucial opportunity to make sure the Senate has its voice heard on our Nation's spending priorities and make sure we don't find ourselves at the end of the year, once again, staring down another omnibus.

Madam President, just a few weeks ago, we were on the brink of a completely unnecessary government shutdown before cooler heads prevailed. The lesson from the near-shutdown should be clear: Letting the loudest voices on the far right push for damaging cuts, extreme partisan policies, is a road to disaster. Bipartisanship is the only way to get the job done in a divided government.

Now, we need to remember the lessons as we continue working to pass our full appropriations bills; support our allies in Ukraine, Israel, and the Indo-Pacific region; shore up our disaster relief funds; and address the childcare crisis; and more. So let's send a message that Congress can actually work and that we can actually work together. Let's get things on track so we can avoid an omnibus and address the urgent challenges we face.

The American people are watching. The world is watching. And let's be clear: Our adversaries are cheering for dysfunction. Let's show them unity. Let's show them the strength of our democracy. Let's get this done and then let's work together and get absolutely vital aid to our allies.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

BORDER SECURITY

Mr. CORNYN. Madam President, as we all know by now, last Friday, President Biden submitted an emergency funding request to Congress. As we all expected, it calls for funding to support Israel as it defends itself against the terrorist organization known as Hamas, a proxy for Iran. It also asks for funding for Ukraine, which continues its heroic defense against a Russian invasion. It requests funding to strengthen security in the Indo-Pacific to help our friends and allies combat increasingly aggressive threats from China.

And, notably, President Biden has also called for emergency funding to help address the crisis at the southern border. At face value, this shouldn't be

surprising. After all, the Biden border crisis has been raging for nearly 3 years; and, somehow, it continues to get worse every day.

Last month, Customs and Border Protection logged nearly 270,000—270,000—migrant crossings at the southern border, making it the busiest month on record. In total, nearly 2.5 million migrants have entered the United States since last fiscal year—or during the last fiscal year. That is another record.

We don't have the resources or the personnel to deal with this influx in what we all should hope would be an efficient, fair, and humane way. And that needs to change.

First of all, we need to wrest immigration out of the hands of the cartels who care nothing about the people who smuggle individuals into the United States for money—a lot of money. It is a very profitable business. And, also, there are affiliated cartels that are smuggling the drugs into the United States that killed 108,000 Americans last year alone. That is also the source of a lot of money for these criminal organizations, again, who care nothing about the life or welfare of individuals, either the migrants or people in the United States. That is what happens when you outsource immigration controls to criminal organizations as the Biden administration has done.

The President's funding request does include a few items that are definitely needed, starting with additional Border Patrol agents. Personnel shortages have impacted all of our missions at the border, including those that have nothing to do with migration. More Border Patrol agents would help fill the gaps and alleviate the strain on frontline law enforcement; but this change is meaningless unless we address the polygraph examination, which is a major barrier for hiring.

Just to be clear, the policy on passing a polygraph varies so much from Agency to Agency. But currently, the policy employed by the Border Patrol has basically made it impossible to fill the quota of Border Patrol agents that we seek to hire.

The administration has also asked for 375 new immigration judge teams. There is no doubt that our immigration courts are drowning under a rapidly growing case backlog. In 2020, before President Biden took office, there were just under 1.3 million cases pending in the immigration courts. But thanks to the administration's current policies, the backlog has now doubled to 2.6 million cases. Simply adding more judges will be an exercise in futility unless we also address the pull factors or the policies that are causing the backlog to grow at such an alarming pace.

I am reminded of something the former Chief of the Border Patrol said amidst another migration surge. In the summer of 2019, border crossings were on the rise; although, they pale in comparison to what we are seeing now.

Then-Chief Carla Provost testified before the Senate Judiciary Committee and talked about what it would take to fix the situation. She said:

We cannot address this crisis by shifting more resources. It's like holding a bucket under a faucet. It doesn't matter how many buckets [you have if you don't turn the water off].

The President's request for emergency funding is a bucket, a relatively small one. But it does nothing to stop the flow. The only way to do that is by deterrence, and the only way to achieve deterrence is by delivering consequences for entering the country illegally. We need to send a message to the people who have no legitimate reason to remain in the United States that if they come, they will not be able to stay.

President Biden does not seem to understand that. And in his emergency funding request, he asks Congress to provide for noncustodial housing for migrants and expedited removal proceedings.

This is the process that allows law enforcement to quickly remove migrants who have no legitimate reason to remain in the United States. I am talking about expedited removal now, the idea that we would release migrants who are on the verge of being deported is patently absurd and just shows the chaos and confusion and the lack of any logical coherence in the Biden border policy.

Anyone who believes that these individuals would come back for their removal hearing is living in an alternate reality. This would constitute yet another massive pull factor attracting people to make that journey to the border. President Biden also called on Congress to expand the so-called lawful pathways his administration created. But to be clear, there is nothing lawful about these pathways.

The administration, once again, has usurped Congress's authority in paroling entire classes of migrants into the United States. "Parole" is a technical term. It basically means to release them, even if they are not claiming asylum, which the Biden administration continues to do on a massive scale—simply release people into the United States.

This is, unsurprisingly, a violation of the Immigration and Nationality Act, and any effort to expand these so-called pathways is a nonstarter in Congress. We will not legitimatize these unauthorized programs and provide an even bigger incentive for migrants to make the dangerous journey to the border.

We need to discourage people who have no legitimate claim to come to the United States this way, not bolster an incentive package. In my view, there are two broad goals that need to be met in order to address this crisis in a meaningful way: First, we need to end catch-and-release. So far, the administration has sent a message to people around the world that if you

enter the United States illegally, there is a good chance you will be able to stay, which, in turn, only encourages more people to come—just show up at the border, say the magic words, and then disappear into the great American heartland. We need to revise this message and make it clear that only those with a legitimate claim can remain in the United States. Ending catch-and-release is the most effective way to do that.

No. 2, the administration must remove people who have been determined to have no legal right to enter or remain in the United States. The Biden administration has proven it does not take this responsibility seriously.

In 2021, arrests and deportation by ICE, known as Immigration and Customs Enforcement, reached an alltime low. So not only are more people coming into the country than we have ever seen before, but fewer people are going out who have no legitimate basis to stay here.

In 2021, the Agency carried out fewer than 60,000 deportations that year, the lowest number on record by a long shot. The following year, the number of deportations increased slightly but not nearly enough to make an impact and certainly not enough to discourage people from continuing to come illegally to enter the United States.

Apprehensions are at record highs; deportations are at historic lows; and it is clear that this is all part of somebody's plan. Despite having every tool at its disposal, the administration is trying to move a mountain with a teaspoon. It is doing just enough to make some people think they are doing something meaningful without having any real impact.

While I am glad President Biden seems to have awakened to the fact that the status quo at the border is unsustainable, his emergency funding request shows he is still absolutely disinterested in solving this crisis. He has proven, once again, that he doesn't care about deterring illegal immigration; he doesn't care about delivering consequences to individuals who break our laws; and he doesn't care about solving this crisis. He merely wants to "manage" the flow, not stop it.

This is not a serious proposal. Some of the proposed spending is actually harmful, and the positive aspects are just window dressing. The President needs to get serious about the border, and what he sent us is not serious. One thing is certain, the Senate will not rubberstamp his paltry border request. You can be certain of that.

This emergency funding bill will absolutely include more funding to address the border crisis, but this is about more than funding; it is about the appropriate policies. We need real changes that produce real consequences, real ways to turn off the flow of illegal immigration and continuing to enrich the criminal organizations that smuggle people and drugs across our border.

Later this week, I am eager to talk with some of the true experts on the border crisis about the current challenges they are facing. Senator CRUZ and I are leading another visit to the Rio Grande Valley, and I am glad that Senator RICKETTS, Senator LEE, and Senator BARRASSO will join us. We are going to spend some time talking to the Border Patrol agents who actually work on the ground as well as the Customs officers who deal with the consequences of the administration's failed policies day in and day out.

We will tour the border to see how virtually anyone—from vulnerable migrant children to dangerous drug cartel members, to people on the Terrorist Watchlist—are able to enter the United States. And we will hear from State officials, local law enforcement, and landowners about the broader impact of the border crisis in communities across our State.

It is going to be 2 busy and informative days, and, as always, I am grateful to the men and women who take the time to meet with us who are doing the hard job. It would be nice if they knew that this administration had their back, but they are demoralized, despite the fact that they continue to do their job, day in and day out, because they realize that the Biden border policies are designed to fail.

Their insight, however, is invaluable to my work here in the Senate, and there couldn't be a more important time to hear from the frontline experts who know about this crisis and how to solve it better than anyone else.

I especially commend my colleagues from Wyoming, Utah, and Nebraska for taking the time to make this important trip and their willingness to hear from Senator CRUZ and my constituents on the frontlines of this issue.

I yield the floor.

The PRESIDING OFFICER (Mr. HICKENLOOPER). The Senator from Washington.

NOMINATION OF MICHAEL G. WHITAKER

Ms. CANTWELL. Mr. President, I rise today in support of the nomination of Michael Whitaker to be the Administrator of the Federal Aviation Administration. Last week, the Commerce Committee unanimously advanced Mr. Whitaker to the Senate floor, and this resounding bipartisan approval is in addition to the broad support that Mr. Whitaker has received from the private sector. He has the support of the aviation workforce, pilots, flight attendants, machinists, air traffic controllers, and safety specialists at the FAA.

Aviation safety advocates like the 737 MAX crash families have called Mr. Whitaker a "strong leader" for the FAA with the "ability [to] restore public trust and confidence in its oversight and safety standards."

The conclusion is clear, Mr. Whitaker is the right person to lead the FAA. And America's chief aviation regulator has a critical mission: protect the safety of the flying public.

Each day, 44,000 FAA employees oversee the safety of 25,000 daily commercial flights, 2.5 million travelers, and over 5,500 airports.

These Agencies set the safety standards for aerospace manufacturing, and safety starts at the top with the Administrator. America's safety system is under stress, given the changes to FAA and the innovation that we are seeing in new technology. We have challenges in the post-pandemic rebound of air travel and making sure that we have a workforce.

And the FAA's workforce, I know that Mr. Whitaker, in his confirmation hearing, committed to making this a No. 1 priority: build a strong safety culture, attract new talent, and keep pace with technology transformation.

Mr. Whitaker must build an organization that meets the challenges of incorporating new users and technologies like drones and advanced air mobility, electric propulsion, commercial space, and just the continued growth of the busy aviation aerospace around the globe.

Among the most pressing problems is addressing air traffic controller hiring and training, and Mr. Whitaker has stated this will also be a top priority.

Finally, the FAA must be among the global leaders in aviation safety. Mr. Whitaker must work internationally at the International Civil Aviation Organization, ICAO, and through bilateral partnerships to lift the baseline for aviation safety regulation throughout the world.

This work of rebuilding leadership starts here at the FAA, and he is committed to implementing the critical safety reforms that were part of the Aircraft Certification, Safety, and Accountability Act. These are strong challenges, but no doubt this Administrator can meet those challenges and live up to these commitments.

I am confident that Mr. Whitaker's abilities will make sure that this legislation is fully implemented.

In addition, yesterday, the President of the United States and the Secretary of Commerce announced a series of tech hubs in response to the legislation that we passed, the CHIPS and Science Act. I know the Presiding Officer, I think, is pretty happy about that because I think one of those tech hubs was in his State. And certainly there was one in Washington that is really about the next generation of advanced materials in aviation.

The designation made possible by CHIPS and Science is to think about lab-to-market testbeds on thermoplastic composite fabrication equipment and help the United States stay in a leadership position in the next generation of aerospace workforce.

The United States leads in ideas, but we don't always lead in the implementation of the innovation, particularly at a time where now everyone, in an internet age, is reading about our innovations and trying to implement the same things.

The tech hub idea can leverage a lot of ideas across the United States and help translate the science faster into real application and real competitiveness for our Nation and grow jobs and help grow actually rising incomes in various parts of our country as well.

The tech hub, in this instance, in the aerospace ecosystem where we have millions of people employed nationally and we have leading institutions that are doing aviation research—we need to show that innovation can move beyond just where we are today on composites but on next-generation research that then gets translated to the workforce and the skilling of the workforce.

This means creating more patents, translating discoveries, and keeping U.S. manufacturing competitive. I know that many of my colleagues here in the Senate were very pleased to hear this announcement by the President and the Secretary of Commerce.

With over 30 years of diverse experience in these issues, like aviation, Mr. Whitaker will be able to help, I think, in this next-generation aviation technology: thermoplastics.

This is also important for our space companies that want to get into a more rapid production of thermoplastic piece part production, and I think this kind of R&D alliance will help for the future.

So I thank our colleagues for the time today. I hope they will support Mr. Whitaker. I hope that we will move quickly on this nomination, and I hope that it will give us a chance to have an FAA Administrator who will also help us move quickly to resolve the FAA authorization issues and get that authorization before both bodies before the end of the year.

Thank you.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Minnesota.

NOMINATION OF JESSICA LOOMAN

MS. SMITH. Mr. President, I rise today in support of Jessica Looman to be Administrator for the Wage and Hour Division at the Department of Labor. And I want my Senate colleagues to know a little bit about Jessica, whom I have had the opportunity to know well and to work with since 2011.

Jessica is from St. Paul, MN. She has worked as an attorney and advocate, as a labor leader heading the Minnesota building trades, as a public sector leader, and as a lifelong champion for workers. And in all her roles, Jessica has earned the reputation for being thoughtful and innovative and fair. She is respected for her skill leading large, complex organizations and getting results and working productively with diverse groups of people to find good solutions and common ground.

Before I was Minnesota's Senator and Lieutenant Governor, I served as chief of staff for the Governor of Minnesota, Mark Dayton. And when we needed a leader who was trusted both by business and by labor to be a leader at Min-

nesota's Department of Labor and Industry, we selected Jessica, who served both as assistant commissioner and also as deputy commissioner. And Jessica impressed me and everyone with her leadership, her competence, and her commitment to fairly and diligently enforcing the law.

She led Minnesota's efforts to ensure safe, fair, and healthy workplaces and labor standards. And she led our effort to expand apprenticeships. Jessica was respected by business and labor alike for her commitment to establishing reasonable, effective workplace rules and regulations.

A couple of years later, when we needed a strong leader to take on Minnesota's Department of Commerce, Jessica was our first pick. In that role, she again showed her skill as an executive leader, leading successful statewide initiatives and growing Minnesota's clean energy jobs. So I have no doubt that Jessica will be a fair and pragmatic Administrator for the Wage and Hour Division, which is responsible for enforcing some of our Nation's most important laws governing minimum wage and overtime pay and child labor standards.

As Administrator, Jessica will have direct impact protecting the interest of hard-working Americans, like the waitress whose boss is stealing her tips, or the building trades' carpenter or laborer who has the right to earn the prevailing wage on Federal projects so that they can support their families, or the worker who isn't being paid for the overtime hours that they have worked. Ms. Looman's values are rooted in fairness and the promise that all work has dignity and should be respected.

One of the things that I have learned in my time in public service is that, if you understand both sides of an argument and you really listen, you can usually find a solution that works. Jessica exemplifies this approach. In all of the years that I have worked closely with her, she always approaches issues with that keen desire to understand what both sides need and what they want and then to find a solution that both sides can agree is fair.

And let us be honest, sometimes regulations can seem subjective and hard to understand. And Jessica gets this, and so she is always looking for a path that is reasonable, that protects people's rights, and that follows the law but that is reasonable. I think that this is why she is respected both by employers and by labor, first in Minnesota and now at the U.S. Department of Labor, and it is why she will make a strong, respected, and trusted Administrator of the Wage and Hour Division.

I urge my colleagues to support her confirmation. Her reputation as a respected, effective leader has been built over years of hard work, fighting for working people, and she has a track record of successfully building coalitions and consensus, even when there are real and difficult challenges to bridge.

RECESS

Ms. SMITH. Mr. President, I ask unanimous consent that the Senate recess until 2:15 p.m.

There being no objection, the Senate, at 12:23 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. LUJÁN).

EXECUTIVE CALENDAR—Continued

CLOTURE MOTION

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

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 364, Michael G. Whitaker, of Vermont, to be Administrator of the Federal Aviation Administration for the term of five years.

Charles E. Schumer, Maria Cantwell, Christopher A. Coons, John W. Hickenlooper, Sherrod Brown, Richard Blumenthal, Tim Kaine, Sheldon Whitehouse, Martin Heinrich, Christopher Murphy, Alex Padilla, Gary C. Peters, Chris Van Hollen, Brian Schatz, Jeanne Shaheen, Patty Murray, Catherine Cortez Masto.

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

The question is, Is it the sense of the Senate that debate on the nomination of Michael G. Whitaker, of Vermont, to be Administrator of the Federal Aviation Administration for the term of five years, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mr. PADILLA) is necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Idaho (Mr. CRAPO), the Senator from North Dakota (Mr. HOEVEN), the Senator from Utah (Mr. ROMNEY), the Senator from Florida (Mr. SCOTT), and the Senator from South Carolina (Mr. SCOTT).

Further, if present and voting: the Senator from North Dakota (Mr. HOEVEN) would have voted “yea” and the Senator from Florida (Mr. SCOTT) would have voted “yea.”

The yeas and nays resulted—yeas 94, nays 0, as follows:

[Rollcall Vote No. 262 Ex.]

YEAS—94

Baldwin	Brown	Collins
Barrasso	Budd	Coons
Bennet	Butler	Cornyn
Blackburn	Cantwell	Cortez Masto
Blumenthal	Capito	Cotton
Booker	Cardin	Cramer
Boozman	Carper	Cruz
Braun	Casey	Daines
Britt	Cassidy	Duckworth

Durbin	Lummis	Schmitt
Ernst	Manchin	Schumer
Fetterman	Markey	Shaheen
Fischer	Marshall	Sinema
Gillibrand	McConnell	Smith
Graham	Menendez	Stabenow
Grassley	Merkley	Sullivan
Hagerty	Moran	Tester
Hassan	Mullin	Thune
Hawley	Murkowski	Tillis
Heinrich	Murphy	Tuberville
Hickenlooper	Murray	Van Hollen
Hirono	Ossoff	Vance
Hyde-Smith	Paul	Warner
Johnson	Peters	Warnock
Kaine	Reed	Warren
Kelly	Ricketts	Welch
Kennedy	Risch	Whitehouse
King	Rosen	Wicker
Klobuchar	Rounds	Wyden
Lankford	Rubio	Young
Lee	Sanders	Schatz
Luján		

NOT VOTING—6

Crapo	Padilla	Scott (FL)
Hoover	Romney	Scott (SC)

The PRESIDING OFFICER (Mr. WELCH). On this vote, the yeas are 94, the nays are 0.

The motion is agreed to.

The PRESIDING OFFICER. The majority whip.

Mr. DURBIN. Mr. President, I ask unanimous consent that all postcloture time be considered expired at 5 p.m. today.

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

Mr. DURBIN. For information of the Senate, Members should expect two rollcall votes starting at 5 p.m.

ISRAEL

Mr. President, much has been said and written about the horrific Hamas terrorist attack on Israel on October 7. The wanton slaughter of more than a thousand Israelis and an estimated 200 hostages still being held is hard to fathom. One fact tells the grim story. More Jews died on this day than any time since the Holocaust. It was not just another bad day in the Middle East. It was a premeditated slaughter of historic proportion.

The crisis that has followed has touched many in my home State of Illinois who have family in Israel. On Friday, I was relieved to learn of the release of Natalie and Judith Raanan from Evanston who were being held as hostages by Hamas in Gaza. Another two women, thankfully, were released yesterday. Now the Hamas terrorists must release the remaining hostages captured on October 7. I pray every moment for their safe return.

Throughout my career in Congress, I have supported U.S. assistance to help Israel defend itself from those bent on its destruction. I am not naive. I know the creation of the nation of Israel was controversial in its time. It still is to many today. Yet it struck me that the people of that region deserve an opportunity to live in peace, to find one refuge in the world they can count on. And I have always supported Israel because of that.

I will strongly support the President's proposed supplemental request to help Israel, Ukraine, and other urgent humanitarian needs.

The Hamas attack, which had nothing to do with solving the problems between the Jewish people and the Palestinians, was really not advancing a two-state solution or even seeking long-term peace. It was a reminder that there are still those in the region who refuse to accept Israel's right to exist—literally, their right to exist—and will take any actions to destroy it.

But in acknowledging Israel's understandable rage and pain, I believe President Biden gave wise counsel to learn from America's mistakes made after the similarly traumatic attacks on 9/11. I remember that day. I was in this building, just outside the Chamber, 9/11/2001. I couldn't imagine what had happened to our Nation as we were evacuating the Capitol to stand out on the lawn and pray another airplane was not directed toward the Capitol or the White House.

It changed America in some ways for the better. We were united. We were determined. We were really in focus with one another to try to make this a safe country for our kids and grandkids. And it divided us as well. We made some decisions which were thoughtful, wise, and stood the test of history and some that did not.

Hamas, just like al-Qaida in those days, must be destroyed. But Israel should be wary of the kind of overreach we found after 9/11. You do not want an ill-thought occupation of Gaza to become your Fallujah. You do not want to dehumanize the innocents on the periphery who are not your enemy and will have to be your neighbors in the future.

Hamas is a terrorist organization that has a long and cynical history of hiding its military essence among and around innocent civilians. They dare their enemies to attack, only to realize the collateral damage is going to be devastating. It makes any effort to root them out and rescue hostages extraordinarily difficult.

Let us be clear, the Palestinian people are not Hamas. As a democracy, Israel must follow the rules of war and not target civilians or conduct disproportionate or indiscriminate attacks. We are already seeing a distressing humanitarian crisis building in Gaza, which has the potential to become worse.

As such, I joined several Senate colleagues in calling for the U.S. humanitarian assistance to the Palestinian people, a move President Biden made last week. The suffering of the Palestinians cannot be ignored. Tom Freidman said it even better last week when he said:

Hamas has not only taken [Israel] hostage; it has taken [Gaza civilians] hostage as well.

The passions and pain from these events are not limited to the Middle East. They are manifesting in all of our Nation, even in my State of Illinois. Ten days ago, a 6-year-old Palestinian-American, Wadea Al-Fayoume, was murdered in a suburb of Chicago in a mindless, heartbreak act. Almost

every hour of every day, there has been a photograph of this beautiful little boy in a “Happy Birthday” hat standing, smiling, looking at the camera. It is hard to imagine he answered his door, and simply because he was a Palestinian descendant, he was attacked by a crazed man who killed him and then attempted to kill his mother. I was glad President Biden mentioned Wadea last week in an address to the Nation. I have that family in my thoughts and prayers as they grieve for the little boy and the mother who continues to recover. There have also been fears of a bomb threat at a synagogue outside of Chicago. A weekend protest in Skokie ended in shots fired.

President Biden was eloquent when he reminded us such hate must stop and we are all Americans. I have my differences with George W. Bush, but I think one of the most profound things he said or did after 9/11 was to announce publicly that he did not believe those who believed in the Muslim faith were wrong at the heart. He believed that it was a religion of peace that some were trying to corrupt. Those statements were so critical at the time when hatred could line up at just any moment. Anti-Semitism, Islamophobia, and anti-Arab hate have no place in America or anywhere in the world.

During my time in Congress, I have been an advocate of a two-state solution, one that provides safe and secure nations for both the Israeli and Palestinian people. There have been attempts at peace and two states offered some hope—Israeli peace with Egypt and Jordan, and the Oslo Accords.

Some leaders, such as former Israeli Prime Minister Rabin and Egyptian President Sadat paid with their lives pursuing peace. But for too long, spoilers on both sides undermined a peaceful two-state solution. They pursued narrow, selfish political goals, too often determined to stay in power above all else. Settlements have expanded, as have continued eruptions of violence.

Regional powers have claimed to care about but only paid lip service to the Palestinian people. The Palestinian authority has been mired in corruption and a lack of new leadership for more than two decades, too often at the very expense of the Palestinian people.

I know it will be hard, but I hope out of the ashes of pain of this crisis, there will be a renewed focus on a two-state solution. Out of the devastating Yom Kippur war came the unimaginable at the time—a historic peace treaty between Egypt and Israel that still endures. With the right leaders on both sides, it can be done.

We here in the United States have a responsibility for a renewed push towards finding a solution that allows Israel and Palestinian children to, once and for all, live together safely and peacefully.

I yield the floor.

Mrs. GILLIBRAND. 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. GILLIBRAND. Mr. President, 10 days ago, the family of Omer Neutra lit 23 candles on his birthday cake. But unlike previous birthdays, the candles kept burning because Omer wasn’t there to blow them out.

Omer is one of the more than 200 people in Israel who were taken hostage by Hamas. The grandson of Holocaust survivors, he is an avid athlete and loves the New York Knicks.

He deferred his acceptance to Binghamton University to spend a gap year in Israel before he joined the IDF. On the day of the attack, he was working as a tank commander defending the Gaza border. He was last seen being forcibly removed at the hands of Hamas terrorists.

Since Omer’s abduction, my office has been working with his family. We are doing everything we can to secure his safe release and the release of all the Americans who are still unaccounted for in Israel. I am grateful that the two American hostages released on Friday are doing well, but there are still several American citizens, many of whom may be injured or unwell, who remain in captivity. We must not stop fighting until all of them are safe.

On Thursday, I met with the family of 3-year-old Abigail Mor Edan. Her family told me the harrowing story of her and her two siblings. Abigail’s brother Michael and her sister Amalia locked themselves in a closet while their mother was slaughtered in their home. Abigail was with her father who was shot while holding on to her. His body was later found, but Abigail is still missing.

I also met with the family of Keith and Aviva Siegel, grandparents who were kidnapped from kibbutz Kfar Aza. Keith is an American citizen and was seen being abducted with his wife.

The family of Itay Chen has been in contact with my office too. Itay is a 19-year-old who was born in New York City and is now serving in the IDF. He was supposed to return home to his family in just a few days to celebrate his brother’s bar mitzvah.

Another hostage, named Sagiv Dekel-Chen, is a U.S. citizen who was last seen fighting off the terrorists. His pregnant wife and two young daughters survived while hiding in their family’s safe room.

I have also heard from the family of Judy Weinstein, who was born in New York State. She and her husband Gad were on a walk when the air raid sirens blared. The couple hid face down in a field as hundreds of rockets rained overhead. Judy called an ambulance because she and her husband had been shot, but the ambulance was unable to reach them, and the couple is now missing.

None of these people—these innocent people—deserve to be abandoned. They

are Americans. We must fight for them as if they were our own sons, our own daughters, our own grandmothers and grandfathers. These people are our family, our lifeblood, our heart and soul.

My commitment to these families is that we will not give up on them. We will go to the ends of the Earth to bring their loved ones home. And my message to the terrorists is: We will not give in. Your darkness and your evil will not destroy us.

We will keep our hope alive and rally around these families. We will light our loved ones’ candles and never blow them out.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mrs. BLACKBURN. 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. BLACKBURN. Mr. President, I ask unanimous consent to speak for up to 15 minutes prior to the scheduled rollcall vote.

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

Mrs. BLACKBURN. Mr. President, last week, the Biden administration proposed a spending package that included funding meant for humanitarian relief—\$3.5 billion for migration and refugee assistance in Ukraine, Israel, and Gaza; \$5.7 billion for the U.S. Agency for International Development. The Biden administration says that our money will pay for “life-saving humanitarian programming in Israel and areas impacted by the situation in the West Bank and Gaza.”

We have two problems to address. First, the U.S. Government is scared to call the terrorist attack a terrorist attack. Second, this is just one more embarrassing example of the Biden administration’s two-faced approach to the people of Israel.

I have spoken at length about the money pipeline between Iran and Hamas, but there is a similar pipeline that appears to be running between Hamas and the U.S. taxpayer. Every dollar we send that is earmarked for Gaza or the West Bank is another dollar Hamas can put into their pocket.

Last week, I spoke about the U.N. Relief and Works Agency and how this false humanitarian mission has been corrupted by Hamas and terrorist sympathizers. This has been confirmed by multiple NGOs, the media, Joe Biden’s own advisers, and whoever published and then deleted this post from the UNRWA Twitter account.

Hamas stole those supplies and UNRWA covered it up. Remember, this is a U.N. body that pulls 93 percent of its funding from global government. In 2021 alone, UNRWA took \$338 million from the United States, \$118 million from the European Commission, and

Kelly	Ossoff	Stabenow
King	Peters	Sullivan
Klobuchar	Reed	Tester
Luján	Rosen	Van Hollen
Manchin	Sanders	Warner
Markey	Schatz	Warnock
Menendez	Schumer	Warren
Merkley	Shaheen	Welch
Murphy	Sinema	Whitehouse
Murray	Smith	Wyden

NAYS—47

Barrasso	Fischer	Murkowski
Blackburn	Graham	Paul
Boozman	Grassley	Ricketts
Braun	Hagerty	Risch
Britt	Hawley	Romney
Budd	Hoeven	Rounds
Capito	Hyde-Smith	Rubio
Cassidy	Johnson	Schmitt
Collins	Kennedy	Scott (FL)
Cornell	Lankford	Thune
Cotton	Lee	Tillis
Cramer	Lummis	Tuberville
Crapo	Marshall	Vance
Cruz	McConnell	Wicker
Daines	Moran	Young
Ernst	Mullin	

NOT VOTING—2

Padilla Scott (SC)

The ACTING PRESIDENT pro tempore. The yeas are 51, nays 47.

The motion is agreed to.

EXECUTIVE CALENDAR

The ACTING PRESIDENT pro tempore. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Jessica Looman, of Minnesota, to be Administrator of the Wage and Hour Division, Department of Labor.

The ACTING PRESIDENT pro tempore. The Senator from Rhode Island.

BUDGETARY REVISIONS

Mr. WHITEHOUSE. Mr. President, H.R. 5860 was the continuing resolution signed into law on September 30. It narrowly averted an extremist-led government shutdown.

That act included \$16 billion in disaster relief for States like Florida, Vermont, New York, Pennsylvania, Hawaii, Louisiana, and others that suffered tremendous losses from extreme weather events exacerbated by fossil fuel emissions causing climate change. It also provided funding for the thousands of firefighters who protect our communities from the ravages of wildfires.

Because that was designated as emergency funding, the Budget Committee chairman—i.e., me—is authorized to increase the Appropriations Committee's top line by the same amount. With this adjustment, the emergency funding will not supplant nondefense discretionary funding—which includes important investments for climate mitigation, environmental protection, infrastructure, education, job training, national parks and forests, and law enforcement—that is subject to the fiscal year 2024 discretionary spending limits.

That funding was designated as emergency funding pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985. Section 314(a) of the Congressional Budget Act allows the chairman

of the committee to revise the allocations, aggregates, and levels consistent with the amount of emergency funding. Today, I am making that adjustment.

In addition, section 121(c) of the Fiscal Responsibility Act of 2023 contained a reserve fund to allow the Budget chairman to revise budget aggregates and committee allocations and to adjust the pay-as-you-go ledger for legislation that would not increase the deficit over the period of fiscal years 2024 to 2033. The authorizing portion of H.R. 5860, division B, meets the conditions of that reserve fund. Over the 10-year period, division B reduces deficits by \$2 million. As such, I am revising the budget aggregates, committee allocations, and pay-as-you-go ledger to accommodate H.R. 5860.

Mr. President, I ask unanimous consent that the accompanying tables which provide details about the adjustment be printed in the RECORD.

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

REVISIONS TO BUDGET AGGREGATES—BUDGET AUTHORITY AND OUTLAYS

(Pursuant to Section 121(c) of the Fiscal Responsibility Act of 2023 and Section 314(a) of the Congressional Budget Act of 1974)

[\$ in billions]

	2024
Current Spending Aggregates:	
Budget Authority	4,940,424
Outlays	5,080,282
Adjustment:	
Budget Authority	16,642
Outlays	1,219
Revised Aggregates:	
Budget Authority	4,957,066
Outlays	5,081,501

REVISIONS TO THE ALLOCATION TO THE COMMITTEE ON APPROPRIATIONS FOR FISCAL YEAR 2024

(Pursuant to Section 314(a) of the Congressional Budget Act of 1974)

[\$ in billions]

	Current Allocation	Adjustments	Revised Allocation
Revised Security Budget Authority	894,349	0.00	894,349
Revised Nonsecurity Budget Authority	757,849	16,000	773,849
General Purpose Outlays	1,837,212	0.962	1,838,174

Note: The adjustments are emergency-designated funding in the jurisdiction of the Homeland Security appropriations subcommittee.

REVISIONS TO ALLOCATIONS TO SENATE COMMITTEES

(Pursuant to Section 121(c) of the Fiscal Responsibility Act of 2023)

[\$ in billions]

	2024	2024–2028	2024–2033
Finance:			
Budget Authority	3,449,522	19,587,982	46,205,916
Outlays	3,458,376	19,589,956	46,199,103
Adjustments:			
Budget Authority	0.020	−0.623	−0.623
Outlays	0.020	−0.183	−0.623
Revised Allocation:			
Budget Authority	3,449,542	19,587,359	46,205,293
Outlays	3,458,396	19,589,773	46,198,480
Health, Education, Labor, and Pensions:			
Budget Authority	59,175	254,652	504,747
Outlays	85,410	295,186	521,242
Adjustments:			
Budget Authority	0.622	0.622	0.622
Outlays	0.237	0.621	0.621
Revised Allocation:			
Budget Authority	59,797	255,274	505,369
Outlays	85,647	295,807	521,863

Note: The adjustments represent the direct spending effects of Title III of Division B of H.R. 5860. Subtitle B is in the jurisdiction of the Committee on Health, Labor, Education, and Pensions. Subtitles D and E are in the jurisdiction of the Committee on Finance.

PAY-AS-YOU-GO SCORECARD FOR THE SENATE

(Pursuant to Section 121(c) of the Fiscal Responsibility Act of 2023)
[\$ in billions]

	Balances
Current Balances:	
Fiscal Year 2024	0
Fiscal Years 2024–2028	0
Fiscal Years 2024–2033	0
Revisions:	
Fiscal Year 2024	0.257
Fiscal Years 2024–2028	0.438
Fiscal Years 2024–2033	−0.002
Revised Balances:	
Fiscal Year 2024	0.257
Fiscal Years 2024–2028	0.438
Fiscal Years 2024–2033	−0.002

Mr. WHITEHOUSE. I yield the floor. The PRESIDING OFFICER (Mr. HICKENLOOPER). The Senator from Rhode Island.

LEGISLATIVE SESSION

MORNING BUSINESS

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

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

ARMS SALES NOTIFICATION

Mr. CARDIN. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD-423.

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

DEFENSE SECURITY
COOPERATION AGENCY,
Washington, DC.

Hon. BENJAMIN L. CARDIN,
Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(5)(C) of the Arms Export Control Act (AECA), as amended, we are forwarding Transmittal No. 23-0P. This notification relates to enhancements or upgrades from the level of sensitivity of technology or capability described in the Section 36(b)(1) AECA certification 18-19 of June 26, 2018.

Sincerely,

JAMES A. HURSCH,
Director.
Enclosure.

TRANSMITTAL NO. 23-0P

Report of Enhancement or Upgrade of Sensitivity of Technology or Capability (Sec. 36(b)(5)(C), AECA)

(i) Purchaser: Government of Spain.
(ii) Sec. 36(b)(1), AECA Transmittal No.: 18-19; Date: June 26, 2018; Implementing Agency: Navy.

(iii) Description: On June 26, 2018, Congress was notified by Congressional certification transmittal number 18-19, of the possible sale, under Section 36(b)(1) of the Arms Export Control Act, of five (5) AEGIS Weapons Systems (AWS) MK7, six (6) shipsets Digital Signal Processing, five (5) shipsets AWS Computing Infrastructure MARK 1 MOD 0, five (5) shipsets Operational Readiness Test Systems (ORTS), five (5) shipsets MK 99 MOD 14 Fire Control System, five (5) shipsets MK 41 Baseline VII Vertical Launching Systems (VLS), two (2) All-Up-Round MK 54 Mod 0 lightweight torpedoes, twenty (20) Standard Missile 2 (SM-2) Block IIIB missiles and MK 13 canisters with AN/DKT-71 warhead compatible telemeter. Also included was one (1) S4 AWS computer program, five (5) shipsets Ultra High Frequency (UHF) Satellite Communications (SATCOM), five (5) shipsets AN/SRQ-4 radio terminal sets, five (5) shipsets ordnance handling equipment, five (5) shipsets Selective Availability Anti-Spoofing Modules (SAASMI), five (5) shipsets aviation handling and support equipment, five (5) shipsets AN/SLQ-24E Torpedo countermeasures systems, five (5) shipsets LM04 Thru-Hull XBT Launcher and test canisters, one (1) shipset MK 36 MOD 6 Decoy Launching System, five (5) shipsets Link Level COMSEC (LLC) 7M for LINK 22, five (5) shipsets Maintenance Assist Module (MAM) cabinets, five (5) shipsets technical documentation, five (5) shipsets installation support material, special purpose test equipment, system engineering, technical services, on-site vendor assistance, spare parts, systems training, foreign liaison office and staging services necessary to support ship construction and delivery, spare and repair parts, tools and test equipment, support equipment, repair and return support, personnel training and training equipment, publications and technical documentation, U.S. Government and contractor engineering and logistics support services, and other related elements of logistic and program support. The estimated total cost was \$860.4 million. Major Defense Equipment (MDE) constituted \$324.4 million of this total.

On June 15, 2020, Congress was notified by Congressional certification transmittal number 20-0G of an additional MDE sale of thirty (30) All-Up-Round MK 54 Lightweight Torpedoes (LWT). The following non-MDE items were also included: MK 54 LWT expendables; MK 54 turnaround kits; MK 54 containers; one (1) MK-695 Torpedo Systems Test Set (TSTS); support equipment including fire control modification platforms and spare parts; torpedo spare parts; training; publications; software; U.S. Government and contractor engineering, technical, and logistics support services and other related elements of logistics and program support. The addition of these items resulted in a net increase in MDE cost of \$45 million, resulting in a revised MDE cost of \$369.4 million. The total estimated case value increased to \$940.4 million.

On June 8, 2022, Congress was notified by Congressional certification transmittal number 22-0G of the MDE replacement of the previously notified two (2) All Up Round MK 54 Mod 0 LWTs with two (2) Exercise MK 54 Mod 0 LWTs. Also included was additional Engineering Technical Assistance for redesign of Radar Signal Processing Group configuration and updates to International Aegis Fire

Control Loop design; shipsets of SAASM units and associated spares; COMSEC equipment for use between test sites; and removal of one (1) shipset MK 36 Mod 6 Decoy Launching System. The MDE total value remained \$369.4 million; however, the non-MDE estimated value increased from \$571 million to \$810.6 million. The total estimated case value increased to \$1.18 billion.

On February 27, 2023, Congress was notified by Congressional certification transmittal number 22-0W of the MDE inclusion of up to an additional sixty-two (62) SM-2 Block IIIB missiles in tactical and telemetered configurations. Also included were MK 13 canisters; spare parts and associated containers; personal training and training equipment; publications and technical data; U.S. Government and contractor technical assistance; and other related elements of logistics and program support. The addition of these items resulted in a net increase in MDE value of \$260 million, resulting in a revised MDE value of \$629.4 million. The non-MDE estimated value increased from \$810.6 million to \$850.6 million. The total estimated case value increased by \$300 million to \$1.48 billion.

This transmittal notifies: 1) the MDE inclusion of an additional one hundred ten (110) MK 54 Mod 0 Lightweight Torpedoes (LWT) in the form of conversion kits for the Spanish Navy's MK 46 LWTs; and 2) the replacement of the previously notified additional up to sixty-two (62) SM-2 Block IIIB missiles with up to sixty-two (62) SM-2 Block IIIC missiles. Also included are MK 54 LWT expendables; MK 54 turnaround kits; MK 54 containers; torpedo spare parts; training; logistics support services; air launch accessories; and unclassified and classified publications. The estimated total value of the new items is \$181 million. The value of the new MDE items constitutes \$75 million of this total, resulting in a revised MDE value of \$704.4 million. The estimated non-MDE value will increase by \$106 million to \$956.6 million. The total estimated case value will increase by \$181 million to \$1.661 billion.

(iv) Significance: The inclusion of this MDE represents an increase in capability over what was previously notified. The proposed amendment will support Spain's Anti-Submarine Warfare (ASW) capability by providing 50 MK 54 Conversion Kits for use with surface ships and 60 Conversion Kits for use on helicopters.

(v) Justification: This proposed sale will support the foreign policy and national security of the United States by improving the security of a North Atlantic Treaty Organization (NATO) Ally, which is an important force for political stability and economic progress in Europe. It is vital to the U.S. national interest to assist Spain in developing and maintaining a strong and ready self-defense capability.

(vi) Sensitivity of Technology:

The SM-2 Block IIIC Active Missile maximizes existing SM-6 Block 1 active and SM-2 semi-active missile technology to deliver a low cost, medium range dual mode active/semi-active missile. Improvements to the Guidance Section, communications plate and steering control section are planned to address obsolescence.

The Sensitivity of Technology Statement contained in the original notification applies to additional items reported here.

The highest level of classification of defense articles, components, and services included in this potential sale is SECRET.

(vii) Date Report Delivered to Congress: October 19, 2023.

GOVERNMENT ACCOUNTABILITY OFFICE LEGAL OPINION NO. B-335488

Mr. CRUZ. Mr. President, I ask unanimous consent that the attached legal opinion of the Government Accountability Office, no. B-335488, titled "U.S. Department of Transportation—Applicability of the Congressional Review Act to Notice of Funding Opportunity for the Department of Transportation's FY 2023–2024 Multimodal Project Discretionary Grant Opportunity," issued on October 18, 2023, be printed in the CONGRESSIONAL RECORD.

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

DECISION

Matter of: U.S. Department of Transportation—Applicability of the Congressional Review Act to Notice of Funding Opportunity for the Department of Transportation's FY 2023–2024 Multimodal Project Discretionary Grant Opportunity

File: B-335488

Date: October 18, 2023

DIGEST

On June 23, 2023, the U.S. Department of Transportation (DOT) published a document titled Notice of Funding Opportunity for the Department of Transportation's FY 2023–2024 Multimodal Project Discretionary Grant Opportunity (MPDG) (Multimodal NOFO). DOT did not submit a report pursuant to the Congressional Review Act (CRA) to Congress or the Comptroller General on the Multimodal NOFO.

CRA incorporates the Administrative Procedure Act's definition of a rule and requires that before a rule can take effect, an agency must submit the rule to both the House of Representatives and the Senate, as well as to the Comptroller General. The Multimodal NOFO announced the availability of DOT funding for three discretionary grant programs: the Nationally Significant Multimodal Freight and Highway Projects program, the National Infrastructure Project Assistance program, and the Rural Surface Transportation program. DOT's stated purpose in the Multimodal NOFO was to fund surface transportation infrastructure projects meeting the criteria of these programs and aligning with DOT goals. We conclude that the Multimodal NOFO meets CRA's definition of a rule and no CRA exception applies. Therefore, the Multimodal NOFO is subject to CRA's submission requirement.

DECISION

On June 23, 2023, the U.S. Department of Transportation (DOT) published a document titled Notice of Funding Opportunity for the Department of Transportation's FY 2023–2024 Multimodal Project Discretionary Grant Opportunity (MPDG) (Multimodal NOFO), available at <https://www.transportation.gov/grants/multimodal-project-discretionary-grant-notice-funding-opportunity> (last visited Sept. 19, 2023). We received a request for a decision as to whether the Multimodal NOFO is a rule for purposes of the Congressional Review Act (CRA). Letter from Senator Ted Cruz to the Comptroller General (July 27, 2023). As discussed below, we conclude that the Multimodal NOFO is a rule subject to CRA's submission requirement.

Our practice when rendering decisions is to contact the relevant agencies to obtain their legal views on the subject of the request. GAO, Procedures and Practices for Legal Decisions and Opinions, GAO-06-1064SP (Washington, D.C.: Sept. 2006), available at <https://>

www.gao.gov/products/qao-06-1064sp. Accordingly, we reached out to DOT to obtain the agency's legal views. Letter from Assistant General Counsel, GAO, to Acting General Counsel, DOT (Aug. 2, 2023). We received DOT's response on August 31, 2023. Letter from Acting General Counsel, DOT, to Assistant General Counsel, GAO (Aug. 31, 2023) (Response Letter).

BACKGROUND

The Multimodal NOFO

The Infrastructure Investment and Jobs Act (IIJA), Pub. L. No. 117-58, 135 Stat. 429 (Nov. 15, 2021), provided DOT with funding for three grant programs—the Nationally Significant Multimodal Freight and Highway Projects grants program, the Rural Surface Transportation grant program, and the National Infrastructure Project Assistance grants program. Id. §§11110 (Nationally Significant Multimodal Freight and Highway Projects), 11132 (Rural Surface Transportation Grant Program); id. §21201 (National Infrastructure Project Assistance); see also Multimodal NOFO, at 5. A general purpose of these grant programs, consistent with the overall purpose of the IIJA, is to promote “Federal-aid highways, highway safety programs, and transit programs.” IIJA, preamble.¹ Id. §§11110, 11132, 21201. The IIJA authorized appropriations for these three programs through FY 2026. Multimodal NOFO, at 5.

In the Multimodal NOFO, in order to “streamline the process for applicants” for the FY 2023–2024 grant period, DOT “combined [its] solicitations” for all three of the above-referenced grant programs. Id. at 5. The Multimodal NOFO “encouraged [applicants] to apply for multiple programs” and indicated that DOT would automatically consider applicants for each program “unless they opt[ed] out of a specific program.” Id. at 6. As the Multimodal NOFO explained, the three grant programs have “slightly different” eligibility criteria, but applicants generally may include states or groups of states, metropolitan planning organizations, units of local government, political subdivisions of states or local governments, and tribal governments or groups of tribal governments. Id. at 10. The Multimodal NOFO outlined the precise eligibility and selection criteria for each program, as well as the types of projects eligible to receive DOT funding under each one, Id. at 10, 15. Overall, DOT stated that its purposes were to fund “surface transportation infrastructure projects . . . with significant national or regional impact” and “to improve and expand the surface transportation infrastructure in rural areas.” Id. at 1. DOT further stated that it sought to award projects that “align with the [National Roadway Safety Strategy],” “reduce greenhouse gas emissions and . . . address climate change impacts”, “address environmental justice”, “address equity and barriers to opportunity”, and “support the creation of good-paying jobs”, among other things. Id. at 6–7.

As compared with a similar notice of funding opportunity that DOT issued in FY 2022 for these grant programs, the Multimodal NOFO used changed “criteria” to evaluate applicants and make award decisions in certain respects. Id. at 8.² For example, the Multimodal NOFO “revised how [Outcome Area] criteria will be rated” and indicated that Rural Program applicants requesting less than \$25 million need only address a subset of these criteria. Id. The Multimodal NOFO also indicated that “[f]or the first time” DOT would be using “a Cost Estimate Review team” to “evaluate in greater detail the cost estimates for any project requesting \$1 billion or more in funding.” Id. Finally, the Multimodal NOFO stated that the “list

of counties qualifying as Areas of Persistent Poverty” had been updated in accordance with new census data, and that the definition of “Historically Disadvantaged Communities” had been updated “in accordance with the [White House's] Climate & Economic Justice Screening Tool”, developed “as part of the Justice40 initiative.” Id. The Multimodal NOFO indicated that applicants planning to “reapply using materials prepared for prior competitions” should ensure they are “up to date” with DOT’s revised criteria. Id. at 8–9.

The Multimodal NOFO provided an application deadline of August 21, 2023, and indicated that DOT would award “approximately \$5.45–5.575 billion” to the current “round” of applicants “from FY 2023 and FY 2024 funding.” Id. at 2

The Congressional Review Act

CRA, enacted in 1996 to strengthen congressional oversight of agency rulemaking, requires federal agencies to submit a report on each new rule to both houses of Congress and to the Comptroller General for review before a rule can take effect. 5 U.S.C. § 801 (a)(1)(A).³ The report must contain a copy of the rule, “a concise general statement relating to the rule,” and the rule’s proposed effective date. *Id.* CRA allows Congress to review and disapprove federal agency rules for a period of 60 days using special procedures. See 5 U.S.C. § 802. If a resolution of disapproval is enacted, then the new rule has no force or effect. 5 U.S.C. § 801(b)(1).

CRA adopts the definition of rule under the Administrative Procedure Act (APA), 5 U.S.C. § 551 (4), which states that a rule is “the whole or a part of an agency statement of general or particular applicability and future effect designed to implement, interpret, or prescribe law or policy or describing the organization, procedure, or practice requirements of an agency.” 5 U.S.C. § 804(3). CRA excludes three categories of rules from coverage: (1) rules of particular applicability; (2) rules relating to agency management or personnel; and (3) rules of agency organization, procedure, or practice that do not substantially affect the rights or obligations of non-agency parties. Id.

DOT did not submit a CRA report to Congress or the Comptroller General on the Multimodal NOFO. In its response to us, DOT asserted that CRA is inapplicable to the Multimodal NOFO because the Multimodal NOFO is an “exempt procedural rule” and “not a final agency action.” Response Letter at 5–6.

DISCUSSION

An agency action is subject to CRA if it meets the APA’s definition of a rule and no CRA exception applies. Because the Multimodal NOFO meets the APA’s definition of a rule, and because no CRA exception applies, the Multimodal NOFO is subject to CRA’s submission requirement.

The Multimodal NOFO meets the APA definition of a rule. It is an agency statement, as it is an official document issued by DOT and posted on the agency’s website. Multimodal NOFO; see also B-334146, June 5, 2023 (finding that a document issued by the U.S. Department of Agriculture (USDA) and posted on USDA website qualified as agency statement); B-331560, Apr. 16, 2020. Second, the Multimodal NOFO has future effect, as its provisions apply to, and announce criteria for, grantprogram applications submitted after its issuance and before future deadlines. Multimodal NOFO, at 2; see also B-334146 (finding that a USDA notice of funding opportunity document had future effect); B-333732, July 28, 2022 (finding that a USDA publication had future effect because it defined criteria for determining future financial assistance benefits). Finally, the

Multimodal NOFO prescribes or implements law or policy and describes agency procedures, as it defines the procedures by which eligible entities may apply for three grant programs, describes the process by which DOT will evaluate these applications, and specifies the level of funding that applicants may receive. Multimodal NOFO, at 1–15; B-334146 (finding that a USDA notice of funding opportunity implemented law or policy and described agency procedures when it “establish[ed] a new grant program” with “eligibility requirements”, “criteria used to select proposals”, and “funding level [s]”); see also B-333732 (finding that USDA’s announcement of a payment-in-kind program for sugar was a rule because it established application procedures, payment limits, and sanctions for future noncompliance with program requirements).

Additionally, none of CRA’s exceptions apply:

First, the Multimodal NOFO is not a rule of particular applicability. Rules of particular applicability are those addressed to specific, identified entities that address actions that may or may not be taken by those entities, in light of the facts and circumstances specific to those entities. B-334995, July 6, 2023; B-334411, June 5, 2023; B-334146; B-334221, Feb. 9, 2023. The Multimodal NOFO applies broadly to states or groups of states, metropolitan planning organizations, units of local government, political subdivisions of states or local governments, and tribal governments or groups of tribal governments, among other entities. Multimodal NOFO, at 10. Thus, it has general, not particular, applicability. See B-334146 (USDA notice of funding opportunity had general applicability because it was addressed to “local and state governments, small and large businesses, and nonprofit entities.”); see also B-334221; B-330843, Oct. 22, 2019.

Second, the Multimodal NOFO is not a rule relating to agency management or personnel. “A rule falls within the CRA exception for rules relating to agency management or personnel if it relates to purely internal agency matters, with no effect on non-agency parties.” B-334411; B-334146; B-334221. Here, the Multimodal NOFO relates primarily to non-agency parties. As explained above, it specifies the means by which a wide variety of non-agency parties may apply for funding pursuant to three DOT grant programs, as well as specifying the selection criteria and funding levels for those programs for FY 2023–2024. Multimodal NOFO, at 1–15. Thus, it does not relate to agency management or personnel. B-334146 (finding that USDA notice of funding opportunities that “establish[ed] a grant program for a wide array of non-federal entities” did not relate to agency management).

Third, and finally, the Multimodal NOFO has a substantial impact on the rights and obligations of non-agency parties. GAO has previously found that notice of funding opportunity documents associated with agency grant programs can have a substantial impact on non-agency parties. Most recently, we found that a USDA notice of funding opportunity document substantially affected the rights and obligations of non-agency parties by implementing a new grant program for nonfederal entities and establishing the program’s eligibility requirements, selection criteria, and funding ranges. B-334146. As we explained, a notice that “determine[s] whether and in what amount [non-agency] entit[ies] may receive funding . . . substantially affects the rights or obligations of those non-agency parties.” *Id.* Similarly, we have found that agency rules amending or clarifying the requirements of financial assistance programs for non-agency parties substantially affected those parties’ rights

and obligations. In B-333732, for instance, we concluded that USDA's 2021 Thrifty Food Plan substantially affected non-agency parties because it increased the maximum benefit allotments for qualifying families under the Supplemental Nutrition Assistance Program (SNAP).

Here, by reference to the above cases, the Multimodal NOFO has substantial effects on the rights and obligations of non-agency parties. While the Multimodal NOFO does not, itself, establish a new grant program like the USDA notice in B-334146, it defines the FY 2023–2024 eligibility requirements, selection criteria, and funding ranges for three existing DOT grant programs. Multimodal NOFO, at 4–5. Each of these programs offers potential DOT funding to a wide range of non-agency parties, as discussed above, which makes DOT's actions in the Multimodal NOFO comparable to USDA's actions in B-334146 and B-333732. In the present case, as in B-334146 and B-333732, the agency's actions “determine[d] whether and in what amount [a non-agency] entity may receive funding”, which “substantially affects the rights or obligations of those non-agency parties.” B-334146.

In its response to us, DOT asserts that the Multimodal NOFO is an “exempt procedural rule.” DOT relies upon four prior GAO decisions: B-330190, Dec. 19, 2018, B-329926, Sept. 10, 2018, B-329916, May 17, 2018, and B-292045, May 19, 2003. Response Letter, at 5.⁴ Each of these decisions is distinguishable, however, because they involved changes to agencies’ internal conduct with only indirect and insubstantial effects on the rights and obligations of non-agency parties. See B-330190 (finding CRA inapplicable to agency memorandum that “outline[d] the agency’s internal procedure for addressing violations of 8 U.S.C. 51325(a)”; B-329926 (finding CRA inapplicable to agency manual governing “the use of evidence from the Internet” by agency officials during adjudicatory proceedings); B-329916 (finding CRA inapplicable to Internal Revenue Service action that “shifts the timing of a step in the agency’s process” for reviewing tax returns); B-292045 (finding CRA inapplicable to a Department of Veterans Affairs (VA) memorandum announcing a change in VA’s procedures for disposal of real property because it “relat[ed] to agency management” and did not “affect any party’s right or obligation”). None of these actions was directed at non-agency parties or concerned, like the Multimodal NOFO and the agency actions in B-334146 and B-333732, with specifying the terms and conditions for non-agency parties to apply to receive federal funds. B-330190; B-329926; B-329916; B-292045.

Relatedly, DOT relies on *Batterton v. Marshall*, 648 F.2d 694 (D.C. Cir. 1980) to distinguish “legislative” from “procedural” rules and urge that rules “may alter the manner in which the parties present themselves or their viewpoints to the agency” without affecting rights or interests. Response Letter, at 4 (citation omitted). However, *Batterton* concerned the distinction between “legislative” and other rules for purposes of applying APA notice-and-comment requirements. See *Batterton*, 648 F. 2d at 707. As the legislative history of CRA makes clear, a rule may be nonlegislative and exempt from APA notice-and-comment requirements while still being subject to CRA’s submission requirements. A principal sponsor of the CRA legislation stated:

Although agency interpretive rules, general statements of policy, guideline documents, and agency policy and procedure manuals may not be subject to the notice and comment provisions of section 553(c) of title 5, United States Code, these types of documents are covered under the congress-

ional review [CRA] provisions of the new chapter 8 of title 5.

142 Cong. Rec. H3005 (daily ed. Mar 28, 1996) (Statement of Rep. McIntosh); see also B-331171, Dec. 17, 2020 (“The sponsors of CRA intended the definition of rule to be as broad as possible to ensure congressional review of agency action.”). Here, as discussed above, the Multimodal NOFO does more than just alter the manner in which certain parties present themselves to DOT, it determines whether and in what amount non-agency entities may receive funding from the federal government.

DOT also asserts that the Multimodal NOFO’s “requirements for eligible applicants, cost sharing requirements, eligible project types, and eligible project costs” did not originate with the Multimodal NOFO but come directly from the “detailed statutory authorit[ies]” governing DOT’s grant programs. Response Letter, at 4. In other words, according to DOT, “any rights and obligations” at issue in this matter “are prescribed by existing laws,” not by the Multimodal NOFO. Id. We acknowledge that the statutes governing DOT’s grant programs are detailed in many respects and establish eligibility and other criteria outlined in the Multimodal NOFO. However, it is not the case that the Multimodal NOFO did nothing more than echo terms and conditions already set forth in DOT’s program statutes. Those statutes left DOT with clear discretion and gap-filling authority in many respects. For example, the statute governing the National Infrastructure Project Assistance program states that applications shall be submitted “at such time, in such manner, and containing such information as [DOT] determines to be appropriate.” 49 U.S.C. § 6701 (c). It also instructs DOT to “determin[e]” whether a given project applying for grant funds “is in need of significant Federal funding” and “will be cost-effective,” among other things. Id. § 6701 (f). In the Multimodal NOFO, DOT exercised its discretion to elaborate upon these statutory terms by defining the “time” and “manner” in which applications must be submitted and specifying detailed “information” requirements. See, e.g., Multimodal NOFO, at 1–3 (stating deadlines and “anticipated” funding amounts not set forth in DOT’s program statutes). With respect to the issue of whether projects will be “cost-effective,” for example, the Multimodal NOFO outlines a “recommended approach for the completion and submission of a benefit-cost analysis (BCA) narrative and calculation file,” as well as encouraging applicants to “review DOT’s detailed guidance” cited in the Multimodal NOFO. Id. at 42. By providing detailed instructions in this and other respects, the Multimodal NOFO affected “whether and in what amount [non-agency] entit[ies] may receive funding”, which, once again, “substantially affects the[ir] rights or obligations.” B-334146.

Finally, DOT asserts that the Multimodal NOFO is “not a final agency action” and is “exempt” from CRA because no applicant is “obligated to apply for” or “entitled to receive” the advertised funding, and because DOT has yet to make the “final project selections” that may result in grant awards. Response Letter, at 6 (citation omitted). However, DOT did not distinguish the funding notice in B-334146, which, like the Multimodal NOFO, was discretionary and left final award decisions contingent upon further action by USDA. See, e.g., USDA, Partnerships for Climate-Smart Commodities, USDA-NRCS-COMM-22-NOF00001 139, available at <https://www.grants.gov/web/grants/view-opportunity.html?oppId=337878> (last visited Sept. 19, 2023) (outlining an opportunity for “[d]iscretionary” grants). A grant notice need not announce mandatory funding or

make final award decisions in order to have a substantial effect on the rights and obligations of non-agency parties. B-334146. Rather, as we have explained, an agency action may be “non-binding” and contemplate “further action” without therefore becoming “eligible for CRA’s procedural exception.” B-334032.2, Apr. 5, 2023 (“CRA’s requirements are applicable to general statements of policy that lack legally binding effects.”) (citation omitted). Here, DOT’s announcement of criteria that “determine[d] whether and in what amount [a non-agency] entity may receive funding” is sufficient to make the Multimodal NOFO ineligible for that exception. See B-334146.

CONCLUSION

The Multimodal NOFO is a rule under CRA because it meets the APA’s definition of a rule and no CRA exception applies. Therefore, the Multimodal NOFO is subject to CRA’s requirement that it be submitted to Congress before it can take effect.

(Signed) Edda Emmanuelli Perez, General Counsel.

ENDNOTES

1. Under the general rubric of improving highways, highway-safety, and transit programs, each program focuses on particular types of improvement projects, in line with their titles and corresponding IIJA provisions. Two of these programs—the Rural Surface Transportation grant program and the National Infrastructure Project Assistance grants program—originated with the LLJA. LLJA §§ 11110, 11132; id § 21201.

2. DOT previously announced and awarded funding for the FY 2022–2023 period via a publication titled Notice of Funding Opportunity for the Department of Transportation’s Project Discretionary Grant Opportunity, 87 Fed., Reg. 17108 (Mar. 25, 2022).

3. Alternatively, an agency can find for good cause that notice and public procedure are impracticable, unnecessary, or contrary to the public interest, and the rule will then take effect at a time the agency determines. 5 U.S.C. § 808(2).

4. Additionally, DOT urges that the Multimodal NOFO is distinguishable from the grant notices in B-334146 because USDA in that case exercised “general statutory authority” to “accomplish certain enumerated statutory ends.” Response Letter, at 5. However, GAO’s determination that the notice of funding opportunities at issue in B-334146 did not qualify for the CRA’s third exception was based on the effects of USDA’s actions on non-agency parties, as discussed above, not on the general or specific nature of USDA’s statutory authority.

COMMEMORATING THE CHRISTENING OF THE USCGC “ARGUS”

Mr. SCOTT of Florida. Mr. President, this week marks a monumental occasion in enhancing our national security when Eastern Shipbuilding Group’s Nelson Shipyard in Panama City, FL, officially christens and launches the U.S. Coast Guard Offshore Patrol Cutter Argus (WMSM-915). The first in its class, the Argus is paving the way of replacing an aging fleet of cutters and improving the capabilities needed to respond to an array of national security threats across a dynamic maritime domain.

Businesses like Eastern Shipbuilding Group and their many skilled workers and suppliers, are the backbone of our economy as they continue to create opportunities for the people of Florida

and expand the national security capabilities of our country. The official christening and launch will be celebrated on October 27, 2023. We, members of the U.S. Senate, recognize the ongoing service of Eastern Shipbuilding Group to provide our military with capable, war-ready ships and thank the U.S. Coast Guard for ensuring the safety and well-being of Americans across the Nation.

ADDITIONAL STATEMENTS

REMEMBERING COOKIE BIBLE

• Ms. CORTEZ MASTO. Mr. President, today I rise to recognize the life and legacy of Cookie Bible, an extraordinary Nevadan who touched the lives of countless women and families in her adopted State. She passed peacefully in Reno, NV, on Saturday, June 3, 2023, at the age of 77.

LaVerne Jo “Cookie” McManus was born in San Francisco; on July 30, 1945, and grew up under her grandmother’s care to become widely known as a strong advocate for women’s health. Cookie was a fourth-generation San Franciscan; however, she was proud to be a “true blue” Nevadan. She fell in love with the Nevada side of Lake Tahoe where she met and married into the family of U.S. Senator Alan Bible and was a resident of Zephyr Cove ever since. Her neighbors affectionately called her “Mayor of the Cove.”

Following graduation from Orvis School of Nursing at the University of Nevada, Reno, with a bachelor of science in nursing in 1971, Cookie became a certified Nurses Association of The American College of Obstetricians and Gynecologists Nurse Practitioner in OB/GYN in 1980. She rose to State and national prominence, serving on the Nevada Board of Nursing, as well as the National Council of State Boards of Nursing in leadership positions.

In 2003, she received the Exceptional Leadership Award from the National Council of State Boards of Nursing, where she chaired the nurse practice, education, and regulatory and nominating committees.

Cookie was the lead nurse practitioner with Planned Parenthood Mar Monte region for nearly 20 years. She served as an adjunct faculty member for Orvis School of Nursing and held contracts with both the State of Nevada and Washoe County Health Department. She was in private women’s healthcare practice from 2004–2017. She was also a founding member of Douglas County Council for Abused Women and the Nevada Women’s Fund.

In addition, Cookie dedicated much of her life to Girl Scouts—12 years as a girl and 56 years as a Girl Scout adult. She was a past president of the Sierra Nevada region of Girl Scouts of America. She continued to buy cartons of Girl Scout cookies to share with charities and dinner guests.

Seeing patients from ages 14 to 80-plus years old was her professional pass-

sion, in addition to teaching and training at the University of Nevada, Reno, and Truckee Meadows Community College and lecturing before various groups. With a second home in Boulder City, Cookie was a dedicated women’s care provider for Volunteers in Medicine in southern Nevada.

Cookie was a member of St. John in the Wilderness Episcopal Church for more than 30 years, serving in leadership positions, as well as greeting guests and parishioners in the historic lakeside church on the grounds of Camp Galilee at Glenbrook, Lake Tahoe.

A world traveler, Cookie enjoyed great adventures from China to Italy to the Galapagos Islands. But she loved Nevada best. She was happiest hiking on trails in the Sierra Nevada Mountains with her dog Zephyr, spending time on the beach, and gathering her family and friends for barbecues in her backyard.

At every opportunity, Cookie demonstrated her strong commitment to the women of Nevada. I know that her work, advocacy, and dedication to women’s health will not be forgotten. I ask my colleagues to join me in remembering Cookie for her significant impact in Nevada. I celebrate Cookie’s legacy, and I extend my deepest condolences to her family and friends. •

TRIBUTE TO SHERM ANDERSON

• Mr. DAINES. Mr. President, today I have the distinct honor of recognizing Sherm Anderson of Powell County for his long-standing dedication to Montana’s timber industry, carrying out his family’s entrepreneurial spirit in his hometown of Deer Lodge and for selflessly serving the greater Powell County community. His perseverance in his personal and professional life helps the State of Montana maintain its vital wood products industry.

Sherm’s dedication to healthy Montana forests first began when he was a teenager driving a logging truck. Years later, he and his wife Bonnie went on to form the Sun Mountain Lumber forest products company, which employs hundreds of people and serves as the Treasure State’s largest lumber mill and North America’s largest finger joint plant. Sun Mountain Lumber plays a vital role in the Deer Lodge Valley economy and continues to have an impact across the State. Earlier this year, Sherm purchased R-Y Timber, a Livingston, MT, sawmill, that was shuttered following a devastating fire—and saved even more logging jobs. Montanans are lucky to have this forest products powerhouse right in our backyard.

When it comes to Sherm’s accomplished work history, he served in the Montana State Legislature, branched out into real estate and construction, operates a fitness center, contributes to a local auto museum, maintains his own 1,200-acre ranch, and most recently invested in the town’s old hos-

pital complex in order to renovate it into workforce housing. As Sherm continues to weather the volatility of the timber industry, he understands that collaboration is critical to keeping important wood product jobs viable and also ensuring our forest lands remain healthy for generations to come. It is clear Sherm understands the importance in working with folks from all backgrounds to make southwestern Montana a better place to live and work.

It is my distinct honor to recognize Sherm Anderson for his passion to preserve our shared Montana way of life. The Anderson family has created a multigenerational legacy that promotes fruitful forest stewardship. “Montana Proud!” •

RECOGNIZING SECRET SERENITY SALON AND SPA

• 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 Secret Serenity Salon and Spa of Harlan, IA, as the Senate Small Business of the Week during National Women’s Small Business Month.

Founded by Tami Kloewer in 2007, Secret Serenity Salon and Spa is a full-service salon serving customers in western Iowa communities. Secret Serenity Salon and Spa offers hair, nail, and skin care services, as well as a spa and retail store in their shop. Secret Serenity Salon and Spa started with Tami as the only employee but has grown to now employ 21 full- and part-time employees. In addition to their in-store services, their retail store offers a variety of beauty care products for all types of skin and hair needs. In 2023, Secret Serenity Salon and Spa celebrated its 16th business anniversary.

In addition to providing beauty services, Secret Serenity Salon and Spa is also actively involved in the Harlan community. In February 2022, Secret Serenity Salon and Spa participated in a Women’s Health Night event hosted by Myrtue Medical Center in Harlan. The event provided local women with routine health screenings while Secret Serenity Salon and Spa offered free chair massages to participants. The team has also supported philanthropies to help the local schools, retirement centers, and hospital. Secret Serenity Salon and Spa is a member of the Shelby County Chamber of Commerce and Industry and has hosted the chamber’s annual Holiday Open House. Owner Tami Kloewer is also involved in the Iowa community. In 2020, Tami Kloewer was nominated to serve on the Iowa Board of Cosmetology Arts and Sciences by Gov. Kim Reynolds and served on the board until 2023.

Secret Serenity Salon and Spa’s commitment to providing beauty care in

Harlan, IA, is clear. I want to congratulate Tami Kloewer and the entire team at Secret Serenity Salon and Spa for their continued dedication to providing beauty care to Iowans. I look forward to seeing their continued growth and success in Iowa.●

REMEMBERING FLORINE MARK

• Mr. PETERS. Mr. President, I rise today to recognize the passing of my dear friend Florine Mark, an icon and trailblazer in Michigan and the international business community.

A role model, entrepreneur, and businesswoman, Florine established the first Michigan Weight Watchers franchise in 1966, holding her first meeting in a school auditorium. Over the next 50 years, Florine grew her portfolio, acquiring franchises in 13 States, Canada, and Mexico, to become the largest franchise holder of Weight Watchers International, employing over 4,200 people.

Behind Florine's drive for success was a deeply held desire to uplift and inspire others to see and act upon the best in themselves. From her early childhood, growing up in a family with very limited means, Florine's bubbly instilled in her the importance of giving back to others. She often spent Sundays with her grandmother, raising funds for Jewish charities and was an active member of her congregation at Adat Shalom Synagogue.

Florine's signature saying, "love, love, love," not only reflected her love of family, but also her commitment to improving the lives of others. Florine shared her time and expertise to countless community organizations throughout Michigan, including Children's Hospital of Michigan, Detroit Institute for Children, Business Leaders of Michigan, Detroit Regional Chamber, Henry Ford Health System, University of Michigan Cardiovascular Center, Women of Tomorrow, and several others. She was an active board member of the Michigan Fitness Foundation; the Governor's Council on Physical Fitness, Health, and Sports; the Governor's Economic Council Advisory Board; and was on the board of trustees of the Community Foundation for Southeast Michigan since 1992.

As a strong advocate for women's professional development and leadership roles in business, Florine sat on the Women's Leadership Board at Harvard University's John F. Kennedy School of Government. She also served a 3-year term on the Detroit branch of the Federal Reserve Bank of Chicago, was on the Michigan Committee supporting the Smithsonian American Women's History Museum, and on the board of directors for English Gardens.

A well-known motivational speaker, she hosted "Today's Takeaway with Florine Mark," during which she interviewed celebrity guests and everyday individuals about physical and mental health, relationships, and other self-care topics. Through her "Ask Florine"

and "Remarkable Women" segments on local broadcasts, she sought to uplift women leaders while raising self-esteem by providing an avenue for advice, support, and dialogue.

Florine's leadership earned her several awards throughout her career, including the 2003 "Entrepreneurial Visionary Award" from the Women's Business Center in Washington, DC. She was also recognized among the 100 Most Influential Women in Detroit by Crain's Detroit Business Magazine, was the recipient of the William Davidson Lifetime Achievement Award, and was the first woman to receive the Neal Shine Award for Exemplary Regional Leadership. She received honorary degrees from Eastern Michigan University, Central Michigan University, Oakland University, Walsh College, Wayne State University, and Lawrence Technological University. Five of these were honorary doctorates. And just earlier this month, Florine received the Women Who Make a Difference award from the International Women's Forum for her accomplishments and contributions to her community and the world.

Through a lifetime of efforts big and small, Florine cemented a legacy as an icon in Michigan, across the country, and around the world. She willingly and selflessly made time for her community, her friends, and especially for her family whom she cherished more than anything. I personally know how deeply proud Florine was of her seven children and her many grandchildren and great-grandchildren.

I am proud to honor the life and legacy of my friend, Florine Mark. I ask that we offer our sympathies to her family and thank them for sharing Florine with us all. She will be sorely missed.●

TRIBUTE TO ROBERT WHALEY

• Mr. TESTER. Mr. President, today I would like to honor the life and service of a distinguished Montanan and Vietnam veteran, Lieutenant Colonel Robert Whaley.

Bob is a native son of the Treasure State and graduated from Missoula County High in 1954. He had a successful college football career at Carroll College, where he also served as president of the student body council. After graduating from Carroll, Bob answered the call to serve and enlisted in the U.S. Marine Corps for Aviation Office Candidate School. He shortly commissioned as a second lieutenant and spent the next 18 months at Pensacola flight school training in Florida, flying both fixed-wing aircrafts and helicopters.

In April 1962, Bob was a member of the first Marine aircraft unit to serve in South Vietnam. Soon after arriving in Vietnam, he also participated in the Vietnam war's first night medevac mission. Throughout his first two tours of Vietnam, Bob flew medevac helicopters, where he rescued wounded American troops. While flying a Huey

gunship to support transport helicopters in 1965, Bob's aircraft was shot down. He and the rest of his crew miraculously survived the crash, but they sustained serious injuries and were evacuated stateside to recover. After recovering, he began training replacement pilots at Camp Pendleton and eventually returned to Vietnam in 1968, 3 weeks after marrying his wife, LaWana. There, he got back in the Huey and flew hundreds of recon and rescue missions. When Bob finally returned to the U.S. from Vietnam for the last time in 1969, he had logged more than 800 missions and earned 40 Air Medals, two Distinguished Flying Crosses, a Bronze Star, and a Purple Heart. He continued his service in the Marine Corps for another decade and eventually retired in 1979 as a lieutenant colonel and the executive officer of Marine Air Group 39 at Camp Pendleton.

After retiring, Bob returned to his native Missoula and began working as a financial adviser. Eventually, he retired for good so he and LaWana could enjoy the mountains outside of Missoula. Sadly, LaWana passed last December, after 54 years of marriage.

Today, it is my honor to commemorate Bob's incredible service to our country. On behalf of myself and a grateful nation, I commend Lieutenant Colonel Whaley, and extend our deepest appreciation to him and his family. His exemplary service in the Marines is what makes our country the greatest in the world and Montana the Last Best Place. He is a true patriot who has made Montana proud, and we owe him a deep debt of gratitude.●

MESSAGES FROM THE PRESIDENT

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

EXECUTIVE MESSAGES REFERRED

In executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations and two withdrawals which were referred to the appropriate committees.

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

PRESIDENTIAL MESSAGE

REPORT ON THE CONTINUATION OF THE NATIONAL EMERGENCY THAT WAS ORIGINALLY DECLARED IN EXECUTIVE ORDER 13413 OF OCTOBER 27, 2006, WITH RESPECT TO THE SITUATION IN OR IN RELATION TO THE DEMOCRATIC REPUBLIC OF THE CONGO—PM 26

The PRESIDING OFFICER laid before the Senate the following message

from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to the situation in or in relation to the Democratic Republic of the Congo declared in Executive Order 13413 of October 27, 2006, as amended by Executive Order 13671 of July 8, 2014, is to continue in effect beyond October 27, 2023.

The situation in or in relation to the Democratic Republic of the Congo, which has been marked by widespread violence and atrocities that continue to threaten regional stability, continues to pose an unusual and extraordinary threat to the foreign policy of the United States. Therefore, I have determined that it is necessary to continue the national emergency declared in Executive Order 13413, as amended by Executive Order 13671, with respect to the situation in or in relation to the Democratic Republic of the Congo.

JOSEPH R. BIDEN, Jr.
THE WHITE HOUSE, October 24, 2023.

EXECUTIVE AND OTHER
COMMUNICATIONS

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

EC-2562. A communication from the Marine Resources Management Specialist, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to Russian River Estuary Management Activities" (RIN0648-BK97) received in the Office of the President of the Senate on April 17, 2023; to the Committee on Commerce, Science, and Transportation.

EC-2563. A communication from the Marine Resources Management Specialist, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Taking Marine Mammals Incidental to the Hampton Roads Bridge Tunnel Expansion Project in Norfolk, Virginia" (RIN0648-BK21) received in the Office of the President of the Senate on April 17, 2023; to the Committee on Commerce, Science, and Transportation.

EC-2564. A communication from the Marine Resources Management Specialist, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to Ice Roads and Ice Trails Construction and Maintenance Activities on Alaska's North

Slope" (RIN0648-BJ24) received in the Office of the President of the Senate on April 17, 2023; to the Committee on Commerce, Science, and Transportation.

EC-2565. A communication from the Marine Resources Management Specialist, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Take of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to Seabird Research Activities in Central California" (RIN0648-BJ47) received in the Office of the President of the Senate on April 17, 2023; to the Committee on Commerce, Science, and Transportation.

EC-2566. A communication from the Marine Resources Management Specialist, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to U.S. Navy Construction at Portsmouth Naval Shipyard, Kittery, Maine" (RIN0648-BL78) received in the Office of the President of the Senate on April 17, 2023; to the Committee on Commerce, Science, and Transportation.

EC-2567. A communication from the Marine Resources Management Specialist, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to Southwest Fisheries Science Center Fisheries Research" (RIN0648-BJ71) received in the Office of the President of the Senate on April 17, 2023; to the Committee on Commerce, Science, and Transportation.

EC-2568. A communication from the Marine Resources Management Specialist, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to Lighthouse Repair and Tour Operations at Northwest Seal Rock, California" (RIN0648-BJ87) received in the Office of the President of the Senate on April 17, 2023; to the Committee on Commerce, Science, and Transportation.

EC-2569. A communication from the Marine Resources Management Specialist, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to Southeast Fisheries Science Center Fisheries Research" (RIN0648-BG44) received in the Office of the President of the Senate on April 17, 2023; to the Committee on Commerce, Science, and Transportation.

EC-2570. A communication from the Marine Resources Management Specialist, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to Alaska Liquefied Natural Gas (LNG) Project in Cook Inlet" (RIN0648-BH44) received in the Office of the President of the Senate on April 17, 2023; to the Committee on Commerce, Science, and Transportation.

EC-2571. A communication from the Marine Resources Management Specialist, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to U.S. Navy Construction at Naval Station Newport in Newport, Rhode Island" (RIN0648-BK69) received in the Office of the President of the Senate on April 17, 2023; to the Committee on Commerce, Science, and Transportation.

the Committee on Commerce, Science, and Transportation.

EC-2572. A communication from the Marine Resources Management Specialist, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to Northeast Fisheries Science Center Fisheries and Ecosystem Research" (RIN0648-BK39) received in the Office of the President of the Senate on April 17, 2023; to the Committee on Commerce, Science, and Transportation.

EC-2573. A communication from the Marine Resources Management Specialist, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to the U.S. Navy Training and Testing Activities in the Point Mugu Sea Range Study Area" (RIN0648-BK07) received in the Office of the President of the Senate on April 17, 2023; to the Committee on Commerce, Science, and Transportation.

EC-2574. A communication from the Marine Resources Management Specialist, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to the U.S. Navy Training Activities in the Gulf of Alaska Study Area" (RIN0648-BK46) received in the Office of the President of the Senate on April 17, 2023; to the Committee on Commerce, Science, and Transportation.

EC-2575. A communication from the Biologist of Protected Resources, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to U.S. Navy Construction of the Pier 3 Replacement Project at Naval Station Norfolk" (RIN0648-BL81) received in the Office of the President of the Senate on July 27, 2023; to the Committee on Commerce, Science, and Transportation.

EC-2576. A communication from the Director of National Marine Sanctuaries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Designation of Wisconsin Shipwreck Coast National Marine Sanctuary; Delay of Effectiveness" (RIN0648-BG01) received in the Office of the President of the Senate on October 4, 2023; to the Committee on Commerce, Science, and Transportation.

EC-2577. A communication from the Marine Resources Management Specialist, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to the U.S. Navy Training and Testing Activities in the Mariana Islands Training and Testing (MITT) Study Area" (RIN0648-BJ00) received in the Office of the President of the Senate on October 4, 2023; to the Committee on Commerce, Science, and Transportation.

EC-2578. A communication from the Fisheries Regulations Specialist, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Amendment 23" (RIN0648-BK17) received during adjournment of the Senate in the Office of the President of the Senate on October 10, 2023; to the Committee on Commerce, Science, and Transportation.

EC-2579. A communication from the Fisheries Regulations Specialist, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Amendment 124 to the BSAI FMP for Groundfish and Amendment 112 to the GOA FMP for Groundfish To Revise IFQ Program Regulations" (RIN0648-BL54) received during adjournment of the Senate in the Office of the President of the Senate on October 10, 2023; to the Committee on Commerce, Science, and Transportation.

EC-2580. A communication from the Fisheries Regulations Specialist, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Atlantic Spiny Dogfish Fishery; 2022 Specifications and Trip Limit Adjustment" (RIN0648-BL15) received during adjournment of the Senate in the Office of the President of the Senate on October 10, 2023; to the Committee on Commerce, Science, and Transportation.

EC-2581. A communication from the Fisheries Regulations Specialist, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reel Fish Resources of the Gulf of Mexico; Catch Limits for Red Grouper" (RIN0648-BL22) received during adjournment of the Senate in the Office of the President of the Senate on October 10, 2023; to the Committee on Commerce, Science, and Transportation.

EC-2582. A communication from the Fisheries Regulations Specialist, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "International Fisheries; Pacific Tuna Fisheries; Fishing Restrictions for Tropical Tuna and Silky Shark in the Eastern Pacific Ocean for 2022 and Beyond" (RIN0648-BK84) received during adjournment of the Senate in the Office of the President of the Senate on October 10, 2023; to the Committee on Commerce, Science, and Transportation.

EC-2583. A communication from the Fisheries Regulations Specialist, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Pacific Halibut Fisheries; Catch Sharing Plan" (RIN0648-BL14) received during adjournment of the Senate in the Office of the President of the Senate on October 10, 2023; to the Committee on Commerce, Science, and Transportation.

EC-2584. A communication from the Fisheries Regulations Specialist, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "International Fisheries; Pacific Tuna Fisheries; 2022-2024 Commercial Fishing Restrictions for Pacific Bluefin Tuna in the Eastern Pacific Ocean" (RIN0648-BK82) received during adjournment of the Senate in the Office of the President of the Senate on October 10, 2023; to the Committee on Commerce, Science, and Transportation.

EC-2585. A communication from the Fisheries Regulations Specialist, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Amendment 23 to the Mackerel, Squid, and Butterfish Fishery Management Plan" (RIN0648-BL75) received during adjournment of the Senate in the Office of the President of the Senate on October 10, 2023; to the Committee on Commerce, Science, and Transportation.

EC-2586. A communication from the Fisheries Regulations Specialist, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Fishery Management Plans of Puerto Rico, St. Croix, and St. Thomas and St. John; Spiny Lobster Management Measures" (RIN0648-BK71) received during adjournment of the Senate in the Office of the President of the Senate on October 10, 2023; to the Committee on Commerce, Science, and Transportation.

EC-2587. A communication from the Fisheries Regulations Specialist, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources in the Gulf of Mexico and Atlantic Region; Framework Amendment 12" (RIN0648-BM37) received during adjournment of the Senate in the Office of the President of the Senate on October 10, 2023; to the Committee on Commerce, Science, and Transportation.

EC-2588. A communication from the Fisheries Regulations Specialist, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Pacific Halibut Fisheries; Catch Sharing Plan; 2022 Annual Management Measures" (RIN0648-BL18) received during adjournment of the Senate in the Office of the President of the Senate on October 10, 2023; to the Committee on Commerce, Science, and Transportation.

EC-2589. A communication from the Fisheries Regulations Specialist, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to the Ocean Wind 1 Project Offshore of New Jersey" (RIN0648-BL36) received during adjournment of the Senate in the Office of the President of the Senate on October 10, 2023; to the Committee on Commerce, Science, and Transportation.

EC-2590. A communication from the Acting Branch Chief of Regulatory Services, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; Non-trawl Logbook" (RIN0648-BK81) received in the Office of the President of the Senate on October 16, 2023; to the Committee on Commerce, Science, and Transportation.

EC-2591. A communication from the Supervisory Fisheries Regulations Specialist, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries Off West Coast States; Pacific Halibut Fisheries; Permitting and Management Regulations for Area 2A Pacific Halibut Fisheries" (RIN0648-BK93) received in the Office of the President of the Senate on October 16, 2023; to the Committee on Commerce, Science, and Transportation.

EC-2592. A communication from the Supervisory Fisheries Regulations Specialist, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Fishery of the South Atlantic; Amendment 50" (RIN0648-BL46) received in the Office of the President of the Senate on October 16, 2023; to the Committee on Commerce, Science, and Transportation.

EC-2593. A communication from the Supervisory Fisheries Regulations Specialist, National Marine Fisheries Service, Department

of Commerce, transmitting, pursuant to law, the report of a rule entitled "Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Pacific Whiting Utilization in the At-Sea Sectors" (RIN0648-BL41) received in the Office of the President of the Senate on October 16, 2023; to the Committee on Commerce, Science, and Transportation.

EC-2594. A communication from the Fisheries Regulations Specialist, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Atlantic Highly Migratory Species; Atlantic Tunas General Category Restricted-Fishing Days" (RIN0648-BK99) received in the Office of the President of the Senate on October 16, 2023; to the Committee on Commerce, Science, and Transportation.

EC-2595. A communication from the Fisheries Regulations Specialist, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Mid-Atlantic Golden Tilefish Fishery; Framework Adjustment 7 to Tilefish Fishery Management Plan" (RIN0648-BL55) received in the Office of the President of the Senate on October 16, 2023; to the Committee on Commerce, Science, and Transportation.

EC-2596. A communication from the Fisheries Regulations Specialist, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Framework Adjustment 63" (RIN0648-BL12) received in the Office of the President of the Senate on October 16, 2023; to the Committee on Commerce, Science, and Transportation.

EC-2597. A communication from the Fisheries Regulations Specialist, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Amendment 20 to the Atlantic Surfclam and Ocean Quahog Fishery Management Plan" (RIN0648-BL18) received in the Office of the President of the Senate on October 16, 2023; to the Committee on Commerce, Science, and Transportation.

EC-2598. A communication from the Fisheries Regulations Specialist, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reel Fish Fishery of the Gulf of Mexico; Amendment 53" (RIN0648-BK77) received in the Office of the President of the Senate on October 16, 2023; to the Committee on Commerce, Science, and Transportation.

EC-2599. A communication from the Fisheries Regulations Specialist, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod in the Bering Sea and Aleutian Islands Management Area" (RIN0648-XD264) received in the Office of the President of the Senate on October 16, 2023; to the Committee on Commerce, Science, and Transportation.

EC-2600. A communication from the Fisheries Regulations Specialist, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Atlantic Highly Migratory Species; Consistency Modifications and Corrections" (RIN0648-BK44) received in the Office of the President of the Senate on October 16, 2023; to the Committee on Commerce, Science, and Transportation.

EC-2601. A communication from the Fisheries Regulations Specialist, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Framework Adjustment 17 to the Summer Flounder, Scup, and Black Sea Bass Fishery Management Plan, and Framework Adjustment 6 to the Bluefish Fishery Management Plan" (RIN0648-BL65) received in the Office of the President of the Senate on October 16, 2023; to the Committee on Commerce, Science, and Transportation.

EC-2602. A communication from the Fisheries Regulations Specialist, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; 2023 Red Snapper Private Angling Component Closure in Federal Waters Off Texas" (RIN0648-XD216) received in the Office of the President of the Senate on October 16, 2023; to the Committee on Commerce, Science, and Transportation.

EC-2603. A communication from the Fisheries Regulations Specialist, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer From NC to MA" (RIN0648-XD368) received in the Office of the President of the Senate on October 16, 2023; to the Committee on Commerce, Science, and Transportation.

EC-2604. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of United States Area Navigation (RNAV) Route Q-445; Eastern United States" (RIN2120-AA66) (Docket No. FAA-2023-1295) received during adjournment of the Senate in the Office of the President of the Senate on October 12, 2023; to the Committee on Commerce, Science, and Transportation.

EC-2605. A communication from the Program Analyst, Consumer and Governmental Affairs Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities; Structure and Practices of the Video Relay Service Program, Report and Order and Further Notice of Proposed Rulemaking" ((FCC 23-78) (CG Docket No. 03-123) (CG Docket No. 10-51) received in the Office of the President of the Senate on October 2, 2023; to the Committee on Commerce, Science, and Transportation.

EC-2606. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Part 73 of the Commission's Rules to Update Television and Class A Television Broadcast Station Rules, and Rules Applicable to All Broadcast Stations" ((FCC 23-72) (MB Docket No. 22-227) received in the Office of the President of the Senate on October 2, 2023; to the Committee on Commerce, Science, and Transportation.

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 Ms. CORTEZ MASTO (for herself and Mrs. BLACKBURN):

S. 3104. A bill to establish Joint Operations Centers along the southern border of the United States, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CASEY (for himself, Ms. BALDWIN, Mr. BENNET, Mr. BLUMENTHAL, Mr. BOOKER, Mr. BROWN, Ms. BUTLER, Ms. CANTWELL, Mr. CARDIN, Mr. CARTER, Mr. COONS, Ms. CORTEZ MASTO, Ms. DUCKWORTH, Mr. DURBIN, Mr. FETTERMAN, Mr. HEINRICH, Mr. HICKENLOOPER, Ms. HIRONO, Mr. KAINA, Ms. KLOBUCHAR, Mr. LUJAN, Mr. MARKEY, Mr. MERKLEY, Mr. MURPHY, Mrs. MURRAY, Mr. PADILLA, Mr. PETERS, Mr. REED, Mr. SANDERS, Mrs. SHAHEEN, Ms. SMITH, Ms. STABENOW, Mr. VAN HOLLEN, Mr. WARNER, Ms. WARREN, Mr. WHITEHOUSE, Mr. WYDEN, and Ms. SINEMA):

S. 3105. A bill to address and take action to prevent bullying and harassment of students; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CASSIDY:

S. 3106. A bill to reauthorize certain programs under the Substance Use-Disorder Prevention that Promotes Opioid Recovery and Treatment for Patients and Communities Act, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DURBIN (for himself, Mr. BLUMENTHAL, Mr. BOOKER, Mr. FETTERMAN, Ms. HIRONO, Mr. MARKEY, Mr. REED, Ms. WARREN, and Mr. WHITEHOUSE):

S. 3107. A bill to provide that chapter 1 of title 9 of the United States Code, relating to the enforcement of arbitration agreements, shall not apply to enrollment agreements made between students and certain institutions of higher education, and to prohibit limitations on the ability of students to pursue claims against certain institutions of higher education; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BLUMENTHAL (for himself, Mr. MARKEY, Mr. WYDEN, Mr. BROWN, Mr. REED, Ms. BALDWIN, Mr. CASEY, Mr. WHITEHOUSE, and Mr. VAN HOLLEN):

S. 3108. A bill to amend the Public Health Service Act to provide for a Reducing Youth Use of E-Cigarettes Initiative; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MARKEY (for himself, Mrs. CAPITO, Ms. SINEMA, Ms. COLLINS, Mr. CASEY, and Mr. TILLIS):

S. 3109. A bill to require the Administrator of the Centers for Medicare & Medicaid Services and the Commissioner of Social Security to review and simplify the processes, procedures, forms, and communications for family caregivers to assist individuals in establishing eligibility for, enrolling in, and maintaining and utilizing coverage and benefits under the Medicare, Medicaid, CHIP, and Social Security programs respectively, and for other purposes; to the Committee on Finance.

By Mr. RUBIO (for himself and Mr. MERKLEY):

S. 3110. A bill to support United States policy toward Taiwan; to the Committee on Foreign Relations.

By Mr. CRAMER (for Mr. PADILLA (for himself, Mr. CRAMER, Mr. BENNET, Mr. BOOZMAN, Mr. DAINES, Mrs. GILLIBRAND, Ms. MURKOWSKI, Mr. RICKETTS, Ms. STABENOW, Mr. TILLIS, Mr. WHITEHOUSE, Mr. WYDEN, and Mr. PETERS)):

S. 3111. A bill to amend the National Dam Safety Program Act to reauthorize and im-

prove that Act, and for other purposes; to the Committee on Environment and Public Works.

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

S. 3112. A bill to require the Commissioner of U.S. Customs and Border Protection to annually review and update CBP policies and manuals to ensure uniform inspection practices along the United States border; to the Committee on Homeland Security and Governmental Affairs.

By Mr. BROWN (for himself, Mr. BLUMENTHAL, and Mr. FETTERMAN):

S. 3113. A bill to amend title XVIII of the Social Security Act to provide an option for first responders age 50 to 64 who are separated from service due to retirement or disability to buy into Medicare; to the Committee on Finance.

By Mr. LANKFORD (for himself and Mr. KAINA):

S. 3114. A bill to develop and deploy firewall circumvention tools for the people of Hong Kong after the People's Republic of China violated its agreement under the Joint Declaration, and for other purposes; to the Committee on Foreign Relations.

By Mr. CORNYN (for himself and Mr. PADILLA):

S. 3115. A bill to amend the National Quantum Initiative Act to require the Secretary of Energy to conduct research on how quantum information science, technology, and engineering can enhance the resilience and security of the electric grid, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. LUJÁN (for himself and Mr. RISCH):

S. 3116. A bill to amend Public Law 88-657 to require greater transparency in the consideration of projects for the Forest Service Legacy Road and Trail Remediation Program, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. LEE (for himself, Mr. SULLIVAN, Mr. BARRASSO, and Ms. LUMMIS):

S. 3117. A bill to amend the Federal Land Policy and Management Act of 1976 to authorize the sale of certain Federal land to States and units of local government to address housing shortages, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. CASEY (for himself, Mr. MERKLEY, Ms. DUCKWORTH, Ms. SMITH, Mr. BLUMENTHAL, Mr. REED, Ms. BALDWIN, Mrs. GILLIBRAND, Mr. SANDERS, Ms. WARREN, Ms. STABENOW, Mr. WHITEHOUSE, Mr. BOOKER, Mr. WELCH, Mr. KAINA, Ms. KLOBUCHAR, Mr. FETTERMAN, Mr. VAN HOLLEN, Mr. MARKEY, Mr. HEINRICH, and Mr. WYDEN):

S. 3118. A bill to provide for an emergency increase in Federal funding to State Medicaid programs for expenditures on home and community-based services; to the Committee on Finance.

By Mr. LEE (for himself, Mr. BUDD, Ms. LUMMIS, and Mr. RUBIO):

S. 3119. A bill to prohibit the Federal Communications Commission from reclassifying broadband Internet access service as a telecommunications service and from imposing certain regulations on providers of such service; to the Committee on Commerce, Science, and Transportation.

By Mr. CASEY (for himself, Mr. BLUMENTHAL, Mr. WELCH, Mr. VAN HOLLEN, Mrs. GILLIBRAND, Ms. WARREN, Mr. BROWN, Mr. SANDERS, Mr. FETTERMAN, Mr. SCHATZ, and Ms. DUCKWORTH):

S. 3120. A bill to provide Medicaid assistance to individuals and families affected by

a disaster or emergency, and for other purposes; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

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

S. Res. 423. A resolution recognizing the University of Iowa women's basketball team's historic "Crossover at Kinnick" game and the importance of women's sports; to the Committee on Commerce, Science, and Transportation.

By Ms. BALDWIN:

S. Res. 424. A resolution expressing the sense of the Senate that the United States Government engage the Government of India to seek a swift end to the persecution of, and violence against, religious minorities and human rights defenders in India and a reversal of government policies that discriminate against Muslims and Christians on the basis of their respective faiths; to the Committee on Foreign Relations.

By Mr. COONS (for himself, Mr. CORNYN, and Mr. BRAUN):

S. Res. 425. A resolution expressing the support of the Senate for the designation of "Public Radio Music Day" and deep appreciation for the role of public radio music stations in serving listeners, musicians, and hundreds of communities in the United States; considered and agreed to.

By Mr. HOEVEN (for himself, Mr. HEINRICH, Mr. THUNE, Mr. CRAMER, Mr. MARSHALL, Mr. MORAN, Ms. BALDWIN, Mr. BENNET, Ms. KLOBUCHAR, Mr. TESTER, Mr. MARKEY, Ms. LUMMIS, Mr. BOOZMAN, Ms. SMITH, Mr. LUJÁN, Mr. COONS, Mr. SCHUMER, Mr. WHITEHOUSE, Mr. BRAUN, Mr. SCOTT of Florida, and Ms. WARREN):

S. Res. 426. A resolution designating November 4, 2023, as "National Bison Day"; considered and agreed to.

By Mr. DAINES (for himself, Mrs. HYDE-SMITH, Mr. HAWLEY, Mr. LANKFORD, Mr. RUBIO, and Mr. SCOTT of Florida):

S. Con. Res. 22. A concurrent resolution expressing support for the Geneva Consensus Declaration on Promoting Women's Health and Strengthening the Family and urging that the United States rejoin this historic declaration; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 45

At the request of Mr. CARDIN, the name of the Senator from Louisiana (Mr. CASSIDY) 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. 134

At the request of Ms. COLLINS, the name of the Senator from Missouri (Mr. HAWLEY) was added as a cosponsor of S. 134, a bill to require an annual budget estimate for the initiatives of the National Institutes of Health pursuant to reports and recommendations made under the National Alzheimer's Project Act.

S. 141

At the request of Mr. MORAN, the name of the Senator from Pennsylvania (Mr. FETTERMAN) was added as a cosponsor of S. 141, a bill to amend title 38, United States Code, to improve certain programs of the Department of Veterans Affairs for home and community based services for veterans, and for other purposes.

S. 276

At the request of Mr. SCOTT of Florida, the name of the Senator from Nebraska (Mr. RICKETTS) was added as a cosponsor of S. 276, a bill to require the Inspector General of the Department of Homeland Security to investigate the vetting and processing of illegal aliens apprehended along the southwest border and to ensure that all laws are being upheld.

S. 431

At the request of Mr. RISCH, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 431, a bill to withhold United States contributions to the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), and for other purposes.

S. 563

At the request of Mr. TESTER, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 563, a bill to amend the Act of June 18, 1934, to reaffirm the authority of the Secretary of the Interior to take land into trust for Indian Tribes, and for other purposes.

S. 610

At the request of Ms. SINEMA, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 610, a bill to amend the Federal Credit Union Act to modify the frequency of board of directors meetings, and for other purposes.

S. 685

At the request of Mr. LEE, the name of the Senator from Nebraska (Mr. RICKETTS) was added as a cosponsor of S. 685, a bill to close loopholes in the immigration laws that serve as incentives to aliens to attempt to enter the United States unlawfully, and for other purposes.

S. 735

At the request of Mr. REED, the name of the Senator from Minnesota (Ms. SMITH) was added as a cosponsor of S. 735, a bill to strengthen the United States Interagency Council on Homelessness.

S. 805

At the request of Mr. BROWN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 805, a bill to amend the Tariff Act of 1930 to increase civil penalties for, and improve enforcement with respect to, customs fraud, and for other purposes.

S. 894

At the request of Mr. CORNYN, the name of the Senator from North Carolina (Mr. TILLIS) was added as a co-

sponsor of S. 894, a bill to require the Secretary of Health and Human Services to collect and disseminate information on concussion and traumatic brain injury among public safety officers.

S. 907

At the request of Mr. KING, the name of the Senator from Tennessee (Mrs. BLACKBURN) was added as a cosponsor of S. 907, a bill to amend the Federal Meat Inspection Act to exempt from inspection the slaughter of animals and the preparation of carcasses conducted at a custom slaughter facility, and for other purposes.

S. 954

At the request of Mr. WARNOCK, the names of the Senator from Indiana (Mr. BRAUN) and the Senator from Nevada (Ms. ROSEN) were added as cosponsors of S. 954, a bill to provide for appropriate cost-sharing for insulin products covered under private health plans, and to establish a program to support health care providers and pharmacies in providing discounted insulin products to uninsured individuals.

S. 976

At the request of Mr. YOUNG, the names of the Senator from West Virginia (Mr. MANCHIN) and the Senator from North Carolina (Mr. TILLIS) were added as cosponsors of S. 976, a bill to establish and expand child care programs for parents who work nontraditional hours, and for other purposes.

S. 1300

At the request of Mr. CARDIN, the names of the Senator from New Jersey (Mr. BOOKER), the Senator from California (Mr. PADILLA) and the Senator from New Mexico (Mr. LUJÁN) were added as cosponsors of S. 1300, a bill to require the Secretary of the Treasury to mint coins in recognition of the late Prime Minister Golda Meir and the 75th anniversary of the United States-Israel relationship.

At the request of Mr. CRUZ, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 1300, *supra*.

S. 1400

At the request of Mr. BRAUN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1400, a bill to amend the Food Security Act of 1985 to modify the delivery of technical assistance, and for other purposes.

S. 1467

At the request of Mr. CARDIN, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 1467, a bill to amend the Internal Revenue Code of 1986 to allow a refundable tax credit against income tax for the purchase of qualified access technology for the blind.

S. 1631

At the request of Mr. PETERS, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 1631, a bill to enhance the authority granted to the Department

of Homeland Security and Department of Justice with respect to unmanned aircraft systems and unmanned aircraft, and for other purposes.

S. 1800

At the request of Ms. MURKOWSKI, the name of the Senator from Minnesota (Ms. SMITH) 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. 1829

At the request of Mr. RUBIO, the names of the Senator from North Carolina (Mr. BUDD) and the Senator from Tennessee (Mrs. BLACKBURN) were added as cosponsors of S. 1829, a bill to impose sanctions with respect to persons engaged in the import of petroleum from the Islamic Republic of Iran, and for other purposes.

S. 1842

At the request of Mr. MARSHALL, the name of the Senator from Kentucky (Mr. PAUL) was added as a cosponsor of S. 1842, a bill to amend the Federal Food, Drug, and Cosmetic Act with respect to the regulation of zootechnical animal food substances.

S. 1906

At the request of Mr. BRAUN, the name of the Senator from Georgia (Mr. WARNOCK) was added as a cosponsor of S. 1906, a bill to amend the Federal Food, Drug, and Cosmetic Act to establish a time-limited provisional approval pathway, subject to specific obligations, for certain drugs and biological products, and for other purposes.

S. 2039

At the request of Ms. SMITH, the name of the Senator from Arizona (Ms. SINEMA) was added as a cosponsor of S. 2039, 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 for cost-sharing for oral anticancer drugs on terms no less favorable than the cost-sharing provided for anticancer medications administered by a health care provider.

S. 2258

At the request of Mr. BENNET, the name of the Senator from Pennsylvania (Mr. FETTERMAN) was added as a cosponsor of S. 2258, a bill to amend the Food and Nutrition Act of 2008 to permit supplemental nutrition assistance program benefits to be used to purchase additional types of food items.

S. 2372

At the request of Mr. GRASSLEY, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 2372, a bill to amend title XIX of the Social Security Act to streamline enrollment under the Medicaid program of certain providers across State lines, and for other purposes.

S. 2444

At the request of Mrs. FISCHER, the names of the Senator from Michigan

(Mr. PETERS), the Senator from Nebraska (Mr. RICKETTS) and the Senator from New Mexico (Mr. LUJÁN) were added as cosponsors 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. 2555

At the request of Mr. BLUMENTHAL, the names of the Senator from Maryland (Mr. VAN HOLLEN) and the Senator from Vermont (Mr. SANDERS) were added as cosponsors of S. 2555, a bill to amend the Animal Welfare Act to expand and improve the enforcement capabilities of the Attorney General, and for other purposes.

S. 2581

At the request of Mr. CRAPO, the names of the Senator from Arizona (Ms. SINEMA), the Senator from Missouri (Mr. HAWLEY), the Senator from Vermont (Mr. SANDERS) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 2581, a bill to extend the Secure Rural Schools and Community Self-Determination Act of 2000.

S. 2671

At the request of Mr. DAINES, the name of the Senator from Iowa (Ms. ERNST) was added as a cosponsor of S. 2671, a bill to prohibit the Administrator of the Federal Motor Carrier Safety Administration from issuing a rule or promulgating a regulation requiring certain vehicles to be equipped with speed limiting devices, and for other purposes.

S. 2700

At the request of Mr. SULLIVAN, the name of the Senator from Tennessee (Mr. HAGERTY) was added as a cosponsor of S. 2700, a bill to amend the Investment Advisers Act of 1940 to require investment advisers for passively managed funds to arrange for pass-through voting of proxies for certain securities, and for other purposes.

S. 2713

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

S. 2757

At the request of Mr. TESTER, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor 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. 2824

At the request of Mr. CRUZ, the name of the Senator from Nebraska (Mr. RICKETTS) was added as a cosponsor of

S. 2824, a bill to secure the borders of the United States, and for other purposes.

S. 2825

At the request of Mr. CORNYN, the names of the Senator from Alabama (Mrs. BRITT) and the Senator from Pennsylvania (Mr. FETTERMAN) were added as cosponsors of S. 2825, a bill to award a Congressional Gold Medal to the United States Army Dustoff crews of the Vietnam War, collectively, in recognition of their extraordinary heroism and life-saving actions in Vietnam.

S. 2839

At the request of Mr. BRAUN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 2839, a bill to clarify the maximum hiring target for new air traffic controllers, and for other purposes.

S. 2878

At the request of Mr. BUDD, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of S. 2878, a bill to amend the Fair Labor Standards Act of 1938 to exclude certain activities from hours worked, and for other purposes.

S. 2992

At the request of Mr. CASSIDY, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 2992, a bill to require the establishment of a joint task force to identify and eliminate barriers to agriculture exports of the United States.

S. 3064

At the request of Mrs. BLACKBURN, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 3064, a bill to limit funding to the United Nations until the Islamic Republic of Iran has been expelled and investigated for violations of the Genocide Convention, and for other purposes.

S. 3065

At the request of Ms. HIRONO, the name of the Senator from Vermont (Mr. WELCH) was added as a cosponsor of S. 3065, a bill to provide counsel for unaccompanied children, and for other purposes.

S. 3068

At the request of Mr. BRAUN, the names of the Senator from Minnesota (Ms. SMITH) and the Senator from Pennsylvania (Mr. FETTERMAN) were added as cosponsors of S. 3068, a bill to require each enterprise to include on the Uniform Residential Loan Application a disclaimer to increase awareness of the direct and guaranteed home loan programs of the Department of Veterans Affairs, and for other purposes.

S. 3078

At the request of Mr. BUDD, his name was added as a cosponsor of S. 3078, a bill to amend the Higher Education Act of 1965 to prohibit institutions of higher education that authorize Anti-Semitic events on campus from participating in the student loan and grant programs under title IV of such Act.

S. 3094

At the request of Mr. CRAPO, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 3094, a bill to prohibit the Administrator of the Environmental Protection Agency from finalizing, implementing, or enforcing a proposed rule with respect to emissions from vehicles, and for other purposes.

S. 3097

At the request of Mr. WELCH, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 3097, a bill to require the Secretary of Agriculture to provide support for organic dairy producers and processors, and for other purposes.

S. 3103

At the request of Mr. MERKLEY, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 3103, a bill to amend the Fair Credit Reporting Act to prohibit the inclusion of medical debt on a consumer report, and for other purposes.

S. RES. 20

At the request of Mr. CARDIN, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. Res. 20, a resolution condemning the coup that took place on February 1, 2021, in Burma and the Burmese military's detention of civilian leaders, calling for an immediate and unconditional release of all those detained, promoting accountability and justice for those killed by the Burmese military, and calling for those elected to serve in parliament to resume their duties without impediment, and for other purposes.

S. RES. 333

At the request of Mr. DURBIN, the names of the Senator from Indiana (Mr. BRAUN), the Senator from Mississippi (Mr. WICKER), the Senator from Maine (Ms. COLLINS) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. Res. 333, a resolution designating 2024 as the Year of Democracy as a time to reflect on the contributions of the system of Government of the United States to a more free and stable world.

S. RES. 385

At the request of Mr. RISCH, the names of the Senator from Pennsylvania (Mr. FETTERMAN) and the Senator from Hawaii (Mr. SCHATZ) were added as cosponsors of S. Res. 385, a resolution calling for the immediate release of Evan Gershkovich, a United States citizen and journalist, who was wrongfully detained by the Government of the Russian Federation in March 2023.

S. RES. 408

At the request of Ms. ROSEN, the names of the Senator from Pennsylvania (Mr. CASEY), the Senator from Michigan (Mr. PETERS), the Senator from North Dakota (Mr. HOEVEN) and the Senator from Tennessee (Mr. HAGERTY) were added as cosponsors of S. Res. 408, a resolution condemning Hamas for its premeditated, coordi-

nated, and brutal terrorist attacks on Israel and demanding that Hamas immediately release all hostages and return them to safety, and for other purposes.

AMENDMENT NO. 1113

At the request of Ms. HIRONO, the name of the Senator from Nevada (Ms. CORTEZ MASTO) was added as a cosponsor of amendment No. 1113 intended to be proposed to H.R. 4366, a bill making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes.

AMENDMENT NO. 1114

At the request of Ms. SMITH, the names of the Senator from Pennsylvania (Mr. FETTERMAN), the Senator from Alabama (Mrs. BRITT) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of amendment No. 1114 intended to be proposed to H.R. 4366, a bill making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes.

AMENDMENT NO. 1250

At the request of Mr. MORAN, the names of the Senator from New Mexico (Mr. HEINRICH), the Senator from Oregon (Mr. WYDEN) and the Senator from Nevada (Ms. ROSEN) were added as cosponsors of amendment No. 1250 intended to be proposed to H.R. 4366, a bill making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes.

AMENDMENT NO. 1351

At the request of Mr. WARNOCK, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of amendment No. 1351 intended to be proposed to H.R. 4366, a bill making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DURBIN (for himself, Mr. BLUMENTHAL, Mr. BOOKER, Mr. FETTERMAN, Ms. HIRONO, Mr. MARKEY, Mr. REED, Ms. WARREN, and Mr. WHITEHOUSE):

S. 3107. A bill to provide that chapter 1 of title 9 of the United States Code, relating to the enforcement of arbitration agreements, shall not apply to enrollment agreements made between students and certain institutions of higher education, and to prohibit limitations on the ability of students to pursue claims against certain institutions of higher education; to the Committee on Health, Education, Labor, and Pensions.

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. 3107

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 “Court Legal Access and Student Support Act of 2023” or the “CLASS Act of 2023”.

SEC. 2. INAPPLICABILITY OF CHAPTER 1 OF TITLE 9, UNITED STATES CODE, TO ENROLLMENT AGREEMENTS MADE BETWEEN STUDENTS AND CERTAIN INSTITUTIONS OF HIGHER EDUCATION.

(a) IN GENERAL.—Chapter 1 of title 9 of the United States Code (relating to the enforcement of arbitration agreements) shall not apply to an enrollment agreement made between a student and an institution of higher education.

(b) DEFINITIONS.—In this section:

(1) ENROLLMENT AGREEMENT.—The term “enrollment agreement” means any contract or agreement between a student and an institution of higher education under which the student makes a financial commitment to the institution in exchange for enrollment in a program of study at the institution.

(2) INSTITUTION OF HIGHER EDUCATION.—The term “institution of higher education” has the meaning given such term in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002).

SEC. 3. PROHIBITION ON LIMITATIONS ON ABILITY OF STUDENTS TO PURSUE CLAIMS AGAINST CERTAIN INSTITUTIONS OF HIGHER EDUCATION.

Section 487(a) of the Higher Education Act of 1965 (20 U.S.C. 1094(a)) is amended by adding at the end the following:

“(30) The institution will not require any student to agree to, and will not enforce, any limitation or restriction (including a limitation or restriction on any available choice of applicable law, a jury trial, or venue) on the ability of a student to pursue a claim, individually or with others, against an institution in court.”

SEC. 4. EFFECTIVE DATE.

This Act and the amendments made by this Act shall take effect 1 year after the date of enactment of this Act.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 423—RECOGNIZING THE UNIVERSITY OF IOWA WOMEN'S BASKETBALL TEAM'S HISTORIC “CROSSOVER AT KINNICK” GAME AND THE IMPORTANCE OF WOMEN'S SPORTS

Ms. ERNST (for herself and Mr. GRASSLEY) submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. RES. 423

Whereas, at the Crossover at Kinnick event, the University of Iowa Hawkeyes competed against the DePaul University Blue Devils in a charity basketball game to benefit the University of Iowa Stead Family Children's Hospital;

Whereas the Crossover at Kinnick event set a National Collegiate Athletic Association (referred to in this resolution as the “NCAA”) women's basketball attendance record with 55,646 fans filling University of Iowa's Kinnick Stadium in Iowa City, Iowa;

Whereas the previous attendance record was set at the 2002 national championship game between the University of Connecticut and the University of Oklahoma, attended by 29,619 fans;

Whereas the Crossover at Kinnick event was the first ever NCAA women's basketball game to be played outdoors in a football stadium;

Whereas women athletes at the collegiate level are important role models for young athletes, particularly women and girls, by serving as examples of what can be achieved by pursuing one's dreams through participation in athletics;

Whereas participation in sports helps foster confidence, self-discipline, leadership, and teamwork in young girls;

Whereas the achievements of the Iowa women's basketball program are an inspiration for Iowans and women athletes everywhere; and

Whereas Iowans and University of Iowa alumni across the country are proud of the history made at the Crossover at Kinnick event. Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the University of Iowa women's basketball players, coaches, and support staff in setting the NCAA women's basketball attendance record at the Crossover at Kinnick event;

(2) recognizes and celebrates the impact of this record-setting event on young women athletes across the country; and

(3) respectfully requests that the Secretary of the Senate send 1 copy of this resolution to the following individuals:

(A) Iowa Governor Kim Reynolds.

(B) University of Iowa President Barbara Wilson.

(C) University of Iowa Interim Athletic Director Beth Goetz.

(D) University of Iowa Women's Basketball Coach Lisa Bluder.

SENATE RESOLUTION 424—EX-PRESSING THE SENSE OF THE SENATE THAT THE UNITED STATES GOVERNMENT ENGAGE THE GOVERNMENT OF INDIA TO SEEK A SWIFT END TO THE PERSECUTION OF, AND VIOLENCE AGAINST, RELIGIOUS MINORITIES AND HUMAN RIGHTS DEFENDERS IN INDIA AND A REVERSAL OF GOVERNMENT POLICIES THAT DISCRIMINATE AGAINST MUSLIMS AND CHRISTIANS ON THE BASIS OF THEIR RESPECTIVE FAITHS

Ms. BALDWIN submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 424

Whereas religious freedom is a core human right and a right recognized by international law and treaties;

Whereas religious freedom is—

(1) a necessary component of United States foreign policy and our Nation's commitment to defending democracy and freedom globally; and

(2) a vital element of national security, which is critical to ensuring a more peaceful, prosperous, and stable world;

Whereas India is the world's most populous democracy, which has long, unique, and important relationship with the United States in promoting common values and upholding regional stability;

Whereas the strong relationship between the United States and India is fundamentally premised on both countries'—

(1) cherished common values of liberty, freedom, justice, and equality before law; and

(2) opposition to every type of discrimination;

Whereas, during a visit to India in July 2021, Secretary of State Antony Blinken stated, “[We view Indian democracy as a force for good in defense of a free and open Indo-Pacific [and] a free and open world”;

Whereas the existence of a truly free and open Indo-Pacific is conditional on the protection of the freedoms and rights of all civilians;

Whereas, on June 2, 2022, while releasing the Department of State's 2021 Report on International Religious Freedom, Secretary Blinken commented, “[In India, the world's largest democracy and home to a great diversity of faiths, we've seen rising attacks on people and places of worship”;

Whereas, less than 1 year after becoming India's Prime Minister in 2014, Narendra Modi promised, “My government will ensure that there is complete freedom of faith and that everyone has the undeniable right to retain or adopt the religion of his or her choice without coercion or undue influence”;

Whereas India has historically been a strong and pluralistic democracy, being the birthplace of several of the world's great religions, including Hinduism, Buddhism, Sikhism, and Jainism;

Whereas India's 1,300,000,000 people include Hindus, who are the majority at 80 percent, 200,000,000 Muslims, which constitute the world's third largest Muslim population, 40,000,000 Christians, and millions of Sikhs, Jains, Baha'is, Jews, Zoroastrians, and people of innumerable animist and indigenous faiths;

Whereas the preamble to the Constitution of India states, in part, “We, the people of India, having solemnly resolved to constitute India into a Sovereign, Socialist, Secular, Democratic Republic, and to secure to all its citizens: Justice, social, economic and political; Liberty of thought, expression, belief, faith and worship. . .”;

Whereas article 14 of the Constitution of India states, “The State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India.”;

Whereas article 25 of the Constitution of India states, in part, “[a]ll persons are equally entitled to freedom of conscience and the right freely to profess, practice and propagate religion.”;

Whereas violence against India's religious minorities, especially Muslims and Christians, has escalated in the last decade;

Whereas such violence against religious minorities has included—

(1) public lynchings by vigilante groups;

(2) the disruption of prayer services at, and the vandalizing and demolition of, mosques and churches;

(3) the demolition of homes and businesses of Muslims without due process by state authorities in retaliation for protesting for their constitutional rights; and

(4) arrests of Muslim men for marrying Hindu women in the name of the false theory of “Love Jihad”;

Whereas India's federal government and various state governments have failed to prosecute the culprits and bring justice to the victims, which has been noted in the 2021 Department of State Country Reports on Human Rights Practices and the 2021 Department of State Report on International Religious Freedom;

Whereas in 2020, 2021, and 2022, the United States Commission on International Reli-

gious Freedom (USCIRF) recommended that the Department of State designate India as a country of particular concern for “engaging in and tolerating systematic, ongoing, and egregious religious freedom violations, as defined by the International Religious Freedom Act (IRFA)”;

Whereas India has failed to act against partisan leaders from the Hindu religious community for repeatedly calling for a genocide of India's Muslims, such as Pooja Shakun Pandey, a leader of Hindu Mahasabha, who stated, in December 2021, in the holy Hindu city of Haridwar in Uttar Pradesh, “If 100 of us are ready to kill 2,000,000 [Muslims], then we will win and make India a Hindu nation”;

Whereas the Indian state of Karnataka has, without cause, banned Muslim female students from wearing the hijab in schools and colleges, which violates their fundamental rights guaranteed under article 14 of the Constitution of India;

Whereas in August 2019, Jammu and Kashmir, the only Indian state with a majority Muslim population—

(1) was deprived of its special autonomy without ensuring consultation or any participation of the people living in Jammu and Kashmir; and

(2) was split into 2 federally governed union territories;

Whereas, in December 2019, the Indian Parliament passed the Citizenship (Amendment) Act, 2019 (referred to in this resolution as the “CAA”), which allows expedited citizenship for Hindus, Sikhs, Buddhists, Jains, Parsees, and Christians from Afghanistan, Bangladesh or Pakistan, but excludes Muslims, which imposes a religious basis to the bestowal of citizenship for the first time;

Whereas Indian police have wrongfully arrested hundreds of people throughout India, most of them Muslims, merely for protesting against the enactment of the CAA over concerns that this law would be used in conjunction with a nationwide head count to deny citizenship to Muslims, a concern that has been repeatedly expressed by the USCIRF;

Whereas the Indian police arrested prominent Muslim activists on charges of carrying out violence against Muslims in Delhi coinciding with a visit by then President Donald Trump to the Indian capital, but failed to act against violent mobs that actually carried out the anti-Muslim violence as documented by the Delhi Minorities Commission of the Government of National Capital Territory of Delhi and Amnesty International India;

Whereas, during the widespread protests against the CAA and the National Register for Citizens (referred to in this resolution as the “NRC”) the police, instead of stopping the violence against the protesters, sometimes joined crowds shouting Hindu nationalist slogans and fired indiscriminately on peaceful protestors, which killed many of them;

Whereas USCIRF has recommended that the “United States Government should consider sanctions against Minister of Home Affairs Amit Shah and other principal leadership” for the passage of the CAA;

Whereas a headcount for the NRC held in Assam state in 2019 determined that 1,900,000 of the state's 31,000,000 residents do not have sufficient documents proving that they or their parents lived in Assam from before 1971, and they are now likely to be stripped of their citizenship by quasi-judicial bodies known as Foreigners Tribunals;

Whereas approximately 500,000 of these 1,900,000 undocumented people are Muslims and thousands of them have been uprooted from their homes, where they have lived for generations, and sent to detention centers;

Whereas, according to Human Rights Watch, government operatives in states ruled by the Prime Minister Narendra Modi's Bharatiya Janata Party have resorted to summary punishments by demolishing Muslim homes and businesses without legal authorization;

Whereas, according to Federation of Indian American Christian Organizations, India's 40,000,000 Christians are increasingly targeted by police and vigilante mobs throughout India, leading to a steep rise in incidents of violence against Christians, with 1,198 incidents recorded in 2022, which represents a staggering increase from the 761 such incidents reported in 2021;

Whereas International Christian Concern, a United States-based nongovernmental organization, has reported that anti-blasphemy and anti-forced conversion laws, which effectively criminalize minority religious beliefs and freedom of conscience, are becoming increasingly common throughout India and have led to numerous cases of violence against religious minorities;

Whereas a culture of impunity for radical Hindu nationalists has led to an unprecedented level of violence against Christian, Muslims, and other vulnerable religious minorities: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the security challenges faced by the Government of India and the continuing threat of state-supported cross-border terrorism;

(2) encourages the Government of India to amend the discriminatory laws and executive orders based on the love, jihad conspiracy theory, including the Citizenship (Amendment) Act, 2019, by treating Muslims the same as other religious groups, and the Foreign Contribution Regulation Act;

(3) urges the Government of India—

(A) to end the discriminatory and undemocratic NRC and return citizenship to the estimated 1,900,000 people who declared non-citizens in a wholly dubious manner;

(B) to immediately release individuals unnecessarily detained in detention centers, protect the right to health of such individuals, and ensure access to healthcare and safe, sanitary conditions for anyone who remains detained;

(C) to immediately release any unjustly detained human rights defenders, journalists, and other critics, many of whom have been held in custody for longer than 1 year without being charged with a crime;

(D) to establish accountability for the brutal police violence against the anti-CAA protesters by prosecuting the policemen and others in the chain of command who are found to be complicit in such violence;

(E) to repeal the anti-conversion and anti-blasphemy laws that are widely misused against religious minorities, especially Christians;

(F) to repeal the hijab ban in Karnataka and allow thousands of Muslim girls and women to attend classes, as students or teachers, while wearing the hijab;

(G) to end the demolition of homes, businesses, and places of worship belonging to Muslims and Christians; and

(H) to allow unrestricted access to Jammu and Kashmir by independent human rights observers and international press; and

(4) calls on the Government of India to repeal the colonial-era sedition law (section 124 of the Indian Penal Code) that is used to stifle dissent and debate and has been used against individuals who express their opposition to the CAA.

SENATE RESOLUTION 425—EXPRESSING THE SUPPORT OF THE SENATE FOR THE DESIGNATION OF “PUBLIC RADIO MUSIC DAY” AND DEEP APPRECIATION FOR THE ROLE OF PUBLIC RADIO MUSIC STATIONS IN SERVING LISTENERS, MUSICIANS, AND HUNDREDS OF COMMUNITIES IN THE UNITED STATES

Mr. COONS (for himself, Mr. CORNYN, and Mr. BRAUN) submitted the following resolution; which was considered and agreed to:

S. RES. 425

Whereas more than 25,000,000 listeners in the United States tune in weekly to local noncommercial radio stations to discover, learn about, and enjoy music selections, artists, and genres that are, in many cases, available only on public radio;

Whereas approximately 697 public radio music stations serve rural and urban communities in all 50 States, the District of Columbia, Puerto Rico, and Guam;

Whereas local public radio music stations celebrate a broad collection of sounds and styles, including jazz, blues, classical, Americana, alternative, folk, roots, bluegrass, and other genres;

Whereas 95 percent of over-the-air broadcasts of classical music in the United States come from local public radio stations;

Whereas local, noncommercial, not-for-profit, public radio music stations develop local artists and audiences, sustain music and performers, and educate and enrich their audiences and communities;

Whereas local public radio music stations are locally staffed and programmed, are connected to the unique culture of their community, and share core values of music discovery, curation, preservation, and performance with their audiences;

Whereas knowledgeable local hosts, live announcers, and expert curation on public radio music stations have a proven track record—

(1) helping audiences discover new and emerging homegrown musicians; and

(2) providing deep explorations into the history and cultural impact of music;

Whereas public radio music stations—

(1) tailor their content and programming to reflect regional tastes and talent;

(2) make music more accessible through local performances, studio sessions, artist interviews, and music journalism; and

(3) broadcast news and information about the local music industry;

Whereas public radio music stations connect musicians and artists with local audiences through an expanding range of platforms, including free over-the-air broadcasts, podcasts, videos, digital, and on-stage;

Whereas the emphasis of public radio on music presentation adds to the journey of lifelong music enjoyment;

Whereas public radio music stations serve as cultural hubs in their communities by providing a place for listeners to come together for the shared enjoyment of music and to support the local music economy;

Whereas local public radio stations partner with schools, hospitals, and other community organizations to promote broad access to music for the public;

Whereas the values and collective commitment of public radio music stations to community service, education, and cultural support separate these nonprofit, noncommercial radio stations from other music providers; and

Whereas, October 25, 2023, would be an appropriate day to designate as “Public Radio Music Day”: Now, therefore, be it

Resolved, That the Senate—

(1) supports the designation of “Public Radio Music Day”; and

(2) expresses its deep appreciation for the role of public radio music stations in serving listeners, musicians, and hundreds of communities in the United States.

SENATE RESOLUTION 426—DESIGNATING NOVEMBER 4, 2023, AS “NATIONAL BISON DAY”

Mr. HOEVEN (for himself, Mr. HEINRICH, Mr. THUNE, Mr. CRAMER, Mr. MARSHALL, Mr. MORAN, Ms. BALDWIN, Mr. BENNET, Ms. KLOBUCHAR, Mr. TESTER, Mr. MARKEY, Ms. LUMMIS, Mr. BOOZMAN, Ms. SMITH, Mr. LUJÁN, Mr. COONS, Mr. SCHUMER, Mr. WHITEHOUSE, Mr. BRAUN, Mr. SCOTT of Florida, and Ms. WARREN) submitted the following resolution; which was considered and agreed to:

S. RES. 426

Whereas, on May 9, 2016, the North American bison was adopted as the national mammal of the United States;

Whereas bison are considered a historical and cultural symbol of the United States;

Whereas bison are integrally linked with the economic and spiritual lives of many Indian Tribes through trade and sacred ceremonies;

Whereas there are approximately 82 Indian Tribes participating in the InterTribal Buffalo Council, which is a Tribal organization incorporated pursuant to section 17 of the Act of June 18, 1934 (commonly known as the “Indian Reorganization Act”) (48 Stat. 988, chapter 576; 25 U.S.C. 5124);

Whereas numerous members of Indian Tribes are involved in bison restoration on Tribal land;

Whereas members of Indian Tribes have a combined herd of almost 25,000 bison on more than 1,000,000 acres of Tribal land in 22 States;

Whereas bison play an important role in the health of the wildlife, landscapes, and grasslands of the United States;

Whereas bison hold significant economic value for private producers and Tribal and rural communities;

Whereas, as of 2017, the Department of Agriculture estimates that 182,780 head of bison were under the stewardship of private producers, creating jobs and contributing to the food security of the United States by providing a sustainable and healthy meat source;

Whereas a bison has been depicted on the official seal of the Department of the Interior since 1912;

Whereas the Department of the Interior has launched the Bison Conservation Initiative, a 10-year cooperative initiative to coordinate the conservation and restoration of wild American bison;

Whereas a bison is portrayed on 2 State flags;

Whereas the bison has been adopted by 3 States as the official mammal or animal of those States;

Whereas the buffalo nickel played an important role in modernizing the currency of the United States;

Whereas several sports teams and businesses have the bison as a mascot, which highlights the iconic and cultural significance of bison in the United States;

Whereas Indigenous communities and a group of ranchers helped save bison from extinction in the late 1800s by gathering the remaining bison of the diminished herds;

Whereas, on December 8, 1905, William Hornaday, Theodore Roosevelt, and others

formed the American Bison Society in response to the near extinction of bison in the United States;

Whereas, on October 11, 1907, the American Bison Society sent 15 captive-bred bison from the New York Zoological Park, now known as the “Bronx Zoo”, to the first big game refuge in the United States, now known as the “Wichita Mountains Wildlife Refuge”;

Whereas, in 2005, the American Bison Society was reestablished, bringing together bison ranchers, Native American leaders and bison herd managers, Federal and State agencies, conservation organizations, artists and writers, young people, and natural and social scientists from the United States, Canada, and Mexico to create a vision for the North American bison in the 21st century;

Whereas there are bison herds in national wildlife refuges, national parks, and national forests, and on other Federal land;

Whereas there are bison in State-managed herds across 11 States;

Whereas private, public, and Tribal bison leaders are working together to continue bison restoration throughout North America;

Whereas there is a growing effort to celebrate and officially recognize the historical, cultural, and economic significance of the North American bison to the heritage of the United States; and

Whereas members of Indian Tribes, bison producers, conservationists, sportsmen, educators, and other public and private partners have celebrated the annual National Bison Day since 2012 and are committed to continuing this tradition annually on the first Saturday of November: Now, therefore, be it

Resolved, That the Senate—

(1) designates November 4, 2023, the first Saturday of November, as “National Bison Day”; and

(2) encourages the people of the United States to observe the day with appropriate ceremonies and activities.

SENATE CONCURRENT RESOLUTION 22—EXPRESSING SUPPORT FOR THE GENEVA CONSENSUS DECLARATION ON PROMOTING WOMEN’S HEALTH AND STRENGTHENING THE FAMILY AND URGING THAT THE UNITED STATES REJOIN THIS HISTORIC DECLARATION

Mr. DAINES (for himself, Mrs. HYDE-SMITH, Mr. HAWLEY, Mr. LANKFORD, Mr. RUBIO, and Mr. SCOTT of Florida) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 22

Whereas the United States strongly supports women reaching the highest attainable outcomes for health, life, dignity, and well-being throughout their lives;

Whereas the historic coalition that issued the Geneva Consensus Declaration on Promoting Women’s Health and Strengthening the Family (in this preamble referred to as the “Geneva Consensus Declaration”) was formed by a diverse group of countries committed to charting a more positive path to advance the health of women, protect the family as foundational to any healthy society, affirm the value of life in all stages of development, and uphold the sovereign right of countries to make their own laws to advance those core values, without external pressure;

Whereas the Geneva Consensus Declaration was signed on October 22, 2020, by 32 coun-

tries from every region of the world, representing more than 1,600,000,000 people, which committed to working together on the core pillars enshrined in the Declaration, and 36 countries are now part of this coalition;

Whereas, although President Joseph R. Biden removed the United States as a signatory to the Geneva Consensus Declaration, at least temporarily, longstanding Federal laws that prohibit the United States from conducting or funding abortions, abortion lobbying, or coercive family planning in foreign countries remain in effect;

Whereas the Geneva Consensus Declaration reaffirms that “all are equal before the law” and “human rights of women are an inalienable, integral, and indivisible part of all human rights and fundamental freedoms”;

Whereas the Geneva Consensus Declaration reaffirms the inherent “dignity and worth of the human person” and that “every human being has the inherent right to life”;

Whereas the Geneva Consensus Declaration reaffirms that “there is no international right to abortion, nor any international obligation on the part of States to finance or facilitate abortion”;

Whereas the Geneva Consensus Declaration reaffirms that “the family is the natural and fundamental group unit of society and is entitled to protection by society and the State”; and

Whereas the Geneva Consensus Declaration coalition strengthens the collective voice of the signatory countries to prevent any country from being intimidated, isolated, or muted on the core values expressed in the Declaration: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) affirms the commitments to protect life and the family made in the Geneva Consensus Declaration on Promoting Women’s Health and Strengthening the Family (in this resolution referred to as the “Geneva Consensus Declaration”) and applauds the signatory countries for their dedication to advancing women’s health, protecting life at every stage while affirming that there is no international right to abortion, and upholding the importance of the family as foundational to society;

(2) declares that the principles affirming life and the family recognized by the Geneva Consensus Declaration remain universally valid;

(3) welcomes opportunities to strengthen support for the Geneva Consensus Declaration;

(4) will defend the sovereignty of every country to adopt national policies that promote women’s health, protect the right to life, and strengthen the family, as enshrined in the Geneva Consensus Declaration;

(5) will conduct oversight of the United States executive branch to ensure that the United States does not conduct or fund abortions, abortion lobbying, or coercive family planning in foreign countries, consistent with longstanding Federal law;

(6) urges the signatory countries to the Geneva Consensus Declaration to defend the universal principles affirming life and the family expressed in the Declaration;

(7) calls on President Joseph R. Biden to once again add the United States as a signatory to the Geneva Consensus Declaration; and

(8) calls on all subsequent Presidents to continue support of the Geneva Consensus Declaration.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1355. Mr. CARPER submitted an amendment intended to be proposed to amendment

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

SA 1356. Mr. Kaine submitted an amendment intended to be proposed to amendment SA 1092 proposed by Mrs. MURRAY (for herself and Ms. COLLINS) to the bill H.R. 4366, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1355. Mr. CARPER submitted an amendment intended to be proposed to amendment SA 1092 proposed by Mrs. MURRAY (for herself and Ms. COLLINS) to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. None of the funds made available by this Act may be used to withhold approval of a surface transportation project of a State or metropolitan planning organization for failing to meet a target as described in the proposed rulemaking entitled “National Performance Management Measures; Assessing Performance of the National Highway System, Greenhouse Gas Emissions Measure” (87 Fed. Reg. 42401 (July 15, 2022)) (or a successor rulemaking).

SA 1356. Mr. Kaine submitted an amendment intended to be proposed to amendment SA 1092 proposed by Mrs. MURRAY (for herself and Ms. COLLINS) to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VII of division B, insert the following:

SEC. _____. (a) Not later than 90 days after the date of enactment of this Act, the Secretary of Health and Human Services (referred to in this section as the “Secretary”) shall publish a written enforcement plan describing how the Secretary will remove from the market any disposable flavored ENDS product—

(1) for which no premarket tobacco application was submitted to the Secretary pursuant to section 910(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 387j(b)) on or before September 9, 2020; or

(2) that is the subject of a denial of a premarket tobacco application pursuant to section 910(c) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 387j(c)), unless such denial is otherwise stayed by the Secretary or through court order.

(b) The plan under paragraph (1) shall include, at a minimum, all of the following:

(1) Detailed guidance to wholesalers, distributors, and retailers on how to identify any disposable flavored ENDS product described in paragraph (1) or (2) of subsection (a).

(2) Clearly defined and detailed enforcement strategies, including directed communications regarding a detailed escalating penalty structure, designed to deter manufacturers and wholesalers of disposable flavored ENDS products from manufacturing,

selling, offering to sell, distributing, or importing for sale or distribution within the United States any disposable flavored ENDS product described in paragraph (1) or (2) of subsection (a).

(3) Detailed plans on how the Secretary will prioritize enforcement actions directed against manufacturers and wholesalers that manufacture, package, sell, offer to sell, distribute, or import for sale or distribution within the United States any disposable flavored ENDS product described in paragraph (1) or (2) of subsection (a).

(4) A plan for how the Secretary will coordinate with the Attorney General, the Secretary of Homeland Security, and the Secretary of the Treasury to develop and implement a strategy to prevent or intercept the importation, smuggling, or trafficking of any disposable flavored ENDS product described in paragraph (1) or (2) of subsection (a).

(5) Detailed plans on how and when the Secretary will implement stronger enforcement procedures and other activities, and as advisable amend existing procedures and activities, to more quickly remove from the market any disposable flavored ENDS product described in paragraph (1) or (2) of subsection (a).

(c) The Secretary shall, not later than 90 days after the date of enactment of this Act, publish and maintain on the website of the Food and Drug Administration, the enforcement plan specified in subsection (a) and shall provide a copy of such enforcement plan to the Committee on Appropriations of the Senate, the Committee on Appropriations of the House of Representatives, and the Government Accountability Office.

(d) For purposes of this section, the term “flavored ENDS product”—

(1) means any non-combustible product that employs a heating element, power source, electronic circuit, or other electronic, chemical, or mechanical means, regardless of shape or size, to produce vapor from nicotine in a solution, where the solution contains a constituent, additive, or ingredient, an artificial or natural flavor (other than tobacco) or an herb or spice, that is a characterizing flavor;

(2) includes any electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device, and includes a consumable nicotine liquid or solution suitable for use in a flavored ENDS product, whether sold with the product or separately; and

(3) does not include any product regulated as a drug or device under chapter V of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 351 et seq.).

(e) Beginning 120 days after the date of enactment of this Act, the Secretary shall submit a report on a quarterly basis to the Committee on Appropriations of the Senate, the Committee on Appropriations of the House of Representatives, and the Government Accountability Office, and post such report on the website of the Food and Drug Administration, listing each enforcement action taken in relation to any disposable flavored ENDS product in the marketplace that is described in paragraph (1) or (2) of subsection (a). Such report shall be categorized by manufacturer, wholesaler, and retailer and shall include the date on which each enforcement action was initiated, the status of such action, and whether such disposable flavored ENDS products are continuing to be sold or distributed despite the enforcement action.

(f) Not later than 180 days after the date of enactment of this Act, the Secretary shall submit a report to the Committee on Appropriations of the Senate, the Committee on Appropriations of the House of Representatives, and the Government Accountability

Office providing specific recommendations on how to revise or enhance current statutory and regulatory enforcement authorities to ensure the expeditious removal from the market of any disposable flavored ENDS product described in paragraph (1) or (2) of subsection (a).

AUTHORITY FOR COMMITTEES TO MEET

Mr. WHITEHOUSE. Madam President, I have four requests for committees to meet during today’s session of the Senate. They have the approval of the Majority and Minority Leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today’s session of the Senate:

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Tuesday, October 24, 2023, at 10 a.m., to conduct a subcommittee hearing.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Tuesday, October 24, 2023, at 10 a.m., to conduct a hearing.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Tuesday, October 24, 2023, at 2:30 p.m., to conduct a hearing.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Tuesday, October 24, 2023, at 2:30 p.m., to conduct a closed briefing.

PROJECT SAFE CHILDHOOD ACT

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of Calendar No. 68, S. 1170.

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

The senior assistant legislative clerk read as follows:

A bill (S. 1170) to reauthorize and update the Project Safe Childhood program, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Project Safe Childhood Act”.

SEC. 2. PROJECT SAFE CHILDHOOD MODERNIZATION.

Section 143 of the Adam Walsh Child Protection and Safety Act of 2006 (34 U.S.C. 20942) is amended to read as follows:

“SEC. 143. PROJECT SAFE CHILDHOOD.

“(a) DEFINITIONS.—In this section:

“(1) CHILD SEXUAL ABUSE MATERIAL.—The term ‘child sexual abuse material’ has the mean-

ing given the term ‘child pornography’ in section 2256 of title 18, United States Code.

“(2) CHILD SEXUAL EXPLOITATION OFFENSE.—The term ‘child sexual exploitation offense’ means—

“(A)(i) an offense involving a minor under section 1591 or chapter 117 of title 18, United States Code;

“(ii) an offense under subsection (a), (b), or (c) of section 2251 of title 18, United States Code;

“(iii) an offense under section 2251A or 2252A(g) of title 18, United States Code; or

“(iv) any attempt or conspiracy to commit an offense described in clause (i) or (ii); or

“(B) an offense involving a minor under a State or Tribal statute that is similar to a provision described in subparagraph (A).

“(3) CIRCLE OF TRUST OFFENDER.—The term ‘circle of trust offender’ means an offender who is related to, or in a position of trust, authority, or supervisory control with respect to, a child.

“(4) COMPUTER.—The term ‘computer’ has the meaning given the term in section 1030 of title 18, United States Code.

“(5) CONTACT SEXUAL OFFENSE.—The term ‘contact sexual offense’ means—

“(A) an offense involving a minor under chapter 109A of title 18, United States Code, or any attempt or conspiracy to commit such an offense; or

“(B) an offense involving a minor under a State or Tribal statute that is similar to a provision described in subparagraph (A).

“(6) DUAL OFFENDER.—The term ‘dual offender’ means—

“(A) a person who commits—

“(i) a technology-facilitated child sexual exploitation offense or an offense involving child sexual abuse material; and

“(ii) a contact sexual offense; and

“(B) without regard to whether the offenses described in clauses (i) and (ii) of subparagraph (A)—

“(i) are committed as part of the same course of conduct; or

“(ii) involve the same victim.

“(7) FACILITATOR.—The term ‘facilitator’ means an individual who facilitates the commission by another individual of—

“(A) a technology-facilitated child sexual exploitation offense or an offense involving child sexual abuse material; or

“(B) a contact sexual offense.

“(8) ICAC AFFILIATE PARTNER.—The term ‘ICAC affiliate partner’ means a law enforcement agency that has entered into a formal operating agreement with the ICAC Task Force Program.

“(9) ICAC TASK FORCE.—The term ‘ICAC task force’ means a task force that is part of the ICAC Task Force Program.

“(10) ICAC TASK FORCE PROGRAM.—The term ‘ICAC Task Force Program’ means the National Internet Crimes Against Children Task Force Program established under section 102 of the PROTECT Our Children Act of 2008 (34 U.S.C. 2112).

“(11) OFFENSE INVOLVING CHILD SEXUAL ABUSE MATERIAL.—The term ‘offense involving child sexual abuse material’ means—

“(A) an offense under section 2251(d), section 2252, or paragraphs (1) through (6) of section 2252A(a) of title 18, United States Code, or any attempt or conspiracy to commit such an offense; or

“(B) an offense under a State or Tribal statute that is similar to a provision described in subparagraph (A).

“(12) SERIOUS OFFENDER.—The term ‘serious offender’ means—

“(A) an offender who has committed a contact sexual offense or child sexual exploitation offense;

“(B) a dual offender, circle of trust offender, or facilitator; or

“(C) an offender with a prior conviction for a contact sexual offense, a child sexual exploitation offense, or an offense involving child sexual abuse material.

“(13) STATE.—The term ‘State’ means a State of the United States, the District of Columbia, and any commonwealth, territory, or possession of the United States.

“(14) TECHNOLOGY-FACILITATED.—The term ‘technology-facilitated’, with respect to an offense, means an offense that is committed through the use of a computer, even if the use of a computer is not an element of the offense.

“(b) ESTABLISHMENT OF PROGRAM.—The Attorney General shall create and maintain a nationwide initiative to align Federal, State, and local entities to combat the growing epidemic of online child sexual exploitation and abuse, to be known as the ‘Project Safe Childhood program’, in accordance with this section.

“(c) BEST PRACTICES.—The Attorney General, in coordination with the Child Exploitation and Obscenity Section of the Criminal Division of the Department of Justice and the Office of Juvenile Justice and Delinquency Prevention of the Department of Justice, and in consultation with training and technical assistance providers under the ICAC Task Force Program who are funded by the Attorney General and with appropriate nongovernmental organizations, shall—

“(1) develop best practices to adopt a balanced approach to the investigation of suspect leads involving contact sexual offenses, child sexual exploitation offenses, and offenses involving child sexual abuse material, and the prosecution of those offenses, prioritizing when feasible the identification of a child victim or a serious offender, which approach shall incorporate the use of—

“(A) proactively generated leads, including leads generated by current and emerging technology;

“(B) in-district investigative referrals; and

“(C) CyberTipline reports from the National Center for Missing and Exploited Children;

“(2) develop best practices to be used by each United States Attorney and ICAC task force to assess the likelihood that an individual could be a serious offender or that a child victim may be identified;

“(3) develop and implement a tracking and communication system for Federal, State, and local law enforcement agencies and prosecutor’s offices to report successful cases of victim identification and child rescue to the Department of Justice and the public; and

“(4) encourage the submission of all lawfully seized visual depictions to the Child Victim Identification Program of the National Center for Missing and Exploited Children.

“(d) IMPLEMENTATION.—Except as authorized under subsection (e), funds authorized under this section may only be used for the following 4 purposes:

“(I) Integrated Federal, State, and local efforts to investigate and prosecute contact sexual offenses, child sexual exploitation offenses, and offenses involving child sexual abuse material, including—

“(A) the partnership by each United States Attorney with each Internet Crimes Against Children Task Force within the district of such attorney;

“(B) training of Federal, State, and local law enforcement officers and prosecutors through—

“(i) programs facilitated by the ICAC Task Force Program;

“(ii) ICAC training programs supported by the Office of Juvenile Justice and Delinquency Prevention of the Department of Justice;

“(iii) programs facilitated by appropriate nongovernmental organizations with subject matter expertise, technical skill, or technological tools to assist in the identification of and response to serious offenders, contact sexual offenses, child sexual exploitation offenses, or offenses involving child sexual abuse material; and

“(iv) any other program that provides training—

“(I) on the investigation and identification of serious offenders or victims of contact sexual of-

fenses, child sexual exploitation offenses, or offenses involving child sexual abuse material; or

“(II) that specifically addresses the use of existing and emerging technologies to commit or facilitate contact sexual offenses, child sexual exploitation offenses, or offenses involving child sexual abuse material;

“(C) the development by each United States Attorney of a district-specific strategic plan to coordinate with State and local law enforcement agencies and prosecutor’s offices, including ICAC task forces and their ICAC affiliate partners, on the investigation of suspect leads involving serious offenders, contact sexual offenses, child sexual exploitation offenses, and offenses involving child sexual abuse material, and the prosecution of those offenders and offenses, which plan—

“(i) shall include—

“(I) the use of the best practices developed under paragraphs (1) and (2) of subsection (c);

“(II) the development of plans and protocols to target and rapidly investigate cases involving potential serious offenders or the identification and rescue of a victim of a contact sexual offense, a child sexual exploitation offense, or an offense involving child sexual abuse material;

“(III) the use of training and technical assistance programs to incorporate victim-centered, trauma-informed practices in cases involving victims of contact sexual offenses, child sexual exploitation offenses, and offenses involving child sexual abuse material, which may include the use of child protective services, children’s advocacy centers, victim support specialists, or other supportive services;

“(IV) the development of plans to track, report, and clearly communicate successful cases of victim identification and child rescue to the Department of Justice and the public;

“(V) an analysis of the investigative and forensic capacity of law enforcement agencies and prosecutor’s offices within the district, and goals for improving capacity and effectiveness;

“(VI) a written policy describing the criteria for referrals for prosecution from Federal, State, or local law enforcement agencies, particularly when the investigation may involve a potential serious offender or the identification or rescue of a child victim;

“(VII) plans and budgets for training of relevant personnel on contact sexual offenses, child sexual exploitation offenses, and offenses involving child sexual abuse material;

“(VIII) plans for coordination and cooperation with State, local, and Tribal law enforcement agencies and prosecutorial offices; and

“(IX) evidence-based programs that educate the public about and increase awareness of such offenses; and

“(ii) shall be developed in consultation, as appropriate, with—

“(I) the local ICAC task force;

“(II) the United States Marshals Service Sex Offender Targeting Center;

“(III) training and technical assistance providers under the ICAC Task Force Program who are funded by the Attorney General;

“(IV) nongovernmental organizations with subject matter expertise, technical skill, or technological tools to assist in the identification of and response to contact sexual offenses, child sexual exploitation offenses, or offenses involving child sexual abuse material;

“(V) any relevant component of Homeland Security Investigations;

“(VI) any relevant component of the Federal Bureau of Investigation;

“(VII) the Office of Juvenile Justice and Delinquency Prevention of the Department of Justice;

“(VIII) the Child Exploitation and Obscenity Section of the Criminal Division of the Department of Justice;

“(IX) the United States Postal Inspection Service;

“(X) the United States Secret Service; and

“(XI) each military criminal investigation organization of the Department of Defense; and

“(D) a quadrennial assessment by each United States Attorney of the investigations within the district of such attorney of contact sexual offenses, child sexual exploitation offenses, and offenses involving child sexual abuse material—

“(i) with consideration of—

“(I) the variety of sources for leads;

“(II) the proportion of work involving proactive or undercover law enforcement investigations;

“(III) the number of serious offenders identified and prosecuted; and

“(IV) the number of children identified or rescued; and

“(ii) information from which may be used by the United States Attorney, as appropriate, to revise the plan described in subparagraph (C).

“(2) Major case coordination by the Department of Justice (or other Federal agencies as appropriate), including specific cooperation, as appropriate, with—

“(A) the Child Exploitation and Obscenity Section of the Criminal Division of the Department of Justice;

“(B) any relevant component of Homeland Security Investigations;

“(C) any relevant component of the Federal Bureau of Investigation;

“(D) the ICAC task forces and ICAC affiliate partners;

“(E) the United States Marshals Service, including the Sex Offender Targeting Center;

“(F) the United States Postal Inspection Service;

“(G) the United States Secret Service;

“(H) each Military Criminal Investigation Organization of the Department of Defense; and

“(I) any task forces established in connection with the Project Safe Childhood program set forth under subsection (b).

“(3) Increased Federal involvement in, and commitment to, the prevention and prosecution of technology-facilitated child sexual exploitation offenses or offenses involving child sexual abuse material by—

“(A) using technology to identify victims and serious offenders;

“(B) developing processes and tools to identify victims and offenders; and

“(C) taking measures to improve information sharing among Federal law enforcement agencies, including for the purposes of implementing the plans and protocols described in paragraph (1)(C)(i)(II) to identify and rescue—

“(i) victims of contact sexual offenses, child sexual exploitation offenses, and offenses involving child sexual abuse material; or

“(ii) victims of serious offenders.

“(4) The establishment, development, and implementation of a nationally coordinated ‘Safer Internet Day’ every year developed in collaboration with the Department of Education, national and local internet safety organizations, parent organizations, social media companies, and schools to provide—

“(A) national public awareness and evidence-based educational programs about the threats posed by circle of trust offenders and the threat of contact sexual offenses, child sexual exploitation offenses, or offenses involving child sexual abuse material, and the use of technology to facilitate those offenses;

“(B) information to parents and children about how to avoid or prevent technology-facilitated child sexual exploitation offenses; and

“(C) information about how to report possible technology-facilitated child sexual exploitation offenses or offenses involving child sexual abuse material through—

“(i) the National Center for Missing and Exploited Children;

“(ii) the ICAC Task Force Program; and

“(iii) any other program that—

“(I) raises national awareness about the threat of technology-facilitated child sexual exploitation offenses or offenses involving child sexual abuse material; and

“(II) provides information to parents and children seeking to report possible violations of

technology-facilitated child sexual exploitation offenses or offenses involving child sexual abuse material.

“(e) EXPANSION OF PROJECT SAFE CHILDHOOD.—Notwithstanding subsection (d), funds authorized under this section may be also be used for the following purposes:

“(1) The addition of not less than 20 Assistant United States Attorneys at the Department of Justice, relative to the number of such positions as of the day before the date of enactment of the Project Safe Childhood Act, who shall be—

“(A) dedicated to the prosecution of cases in connection with the Project Safe Childhood program set forth under subsection (b); and

“(B) responsible for assisting and coordinating the plans and protocols of each district under subsection (d)(1)(C)(i)(II).

“(2) Such other additional and related purposes as the Attorney General determines appropriate.

“(f) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—For the purpose of carrying out this section, there are authorized to be appropriated—

“(A) for the activities described under paragraphs (1), (2), and (3) of subsection (d), \$28,550,000 for each of fiscal years 2023 through 2028;

“(B) for the activities described under subsection (d)(4), \$4,000,000 for each of fiscal years 2023 through 2028; and

“(C) for the activities described under subsection (e), \$29,100,000 for each of fiscal years 2023 through 2028.

“(2) SUPPLEMENT, NOT SUPPLANT.—Amounts made available to State and local agencies, programs, and services under this section shall supplement, and not supplant, other Federal, State, or local funds made available for those agencies, programs, and services.”.

Mr. WHITEHOUSE. I ask unanimous consent that the committee-reported amendment be considered and agreed to.

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

The committee-reported amendment in the nature of a substitute was agreed to.

Mr. WHITEHOUSE. I ask that the bill, as amended, be considered read a third time.

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

Mr. WHITEHOUSE. I know of no further debate on the bill, as amended.

The PRESIDING OFFICER. If there is no further debate, the question is, Shall the bill pass?

The bill (S. 1170), as amended, was passed.

Mr. WHITEHOUSE. I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

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

WORLD FOOD DAY

EXPRESSING SUPPORT OF THE SENATE FOR THE DESIGNATION OF PUBLIC RADIO MUSIC DAY

NATIONAL BISON DAY

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Com-

mittee on the Judiciary be discharged from further consideration of S. Res. 397 and the Senate proceed to the en bloc consideration of the following Senate resolutions: S. Res. 397, World Food Day; S. Res. 425, Public Radio Music Day; and S. Res. 426, National Bison Day.

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

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 397) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, was printed in the RECORD of October 4, 2023, under “Submitted Resolutions.”)

The resolutions (S. Res. 425 and S. Res. 426) were agreed to.

The preambles were agreed to.

(The resolutions, with their preambles, are printed in today’s RECORD under “Submitted Resolutions.”)

ORDERS FOR WEDNESDAY, OCTOBER 25, 2023

Mr. WHITEHOUSE. Mr. President, I now ask unanimous consent that when the Senate completes its business today, it stand adjourned until 10 a.m. on Wednesday, October 25; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and morning business be closed; that upon the conclusion of morning business, notwithstanding rule XXII, the Senate resume consideration of Calendar No. 198, H.R. 4366, as provided under the order of October 24; further, that at 11:30 a.m., the Senate proceed to executive session to resume consideration of the Looman nomination and that all postclosure time be considered expired; that upon disposition of the Looman nomination, the Senate resume legislative session; finally, that if the nomination is confirmed during Wednesday’s session, the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate’s actions.

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

Mr. WHITEHOUSE. For the information of the Senate, Senators should expect rollcall votes in relation to amendments to the minibus during Wednesday’s session.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. WHITEHOUSE. Mr. President, if there is no further business to come be-

fore the Senate, I ask that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:59 p.m., adjourned until Wednesday, October 25, 2023, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF STATE

KAMALA SHIRIN LAKHDHIR, OF CONNECTICUT, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF INDONESIA.

UNITED STATES SENTENCING COMMISSION

CLARIA HORN BOOM, OF KENTUCKY, TO BE A MEMBER OF THE UNITED STATES SENTENCING COMMISSION FOR A TERM EXPIRING OCTOBER 31, 2029. (REAPPOINTMENT)

DEPARTMENT OF JUSTICE

CLINTON J. FUCHS, OF MARYLAND, TO BE UNITED STATES MARSHAL FOR THE DISTRICT OF MARYLAND FOR THE TERM OF FOUR YEARS, VICE JOHNNY LEWIS HUGHES, TERM EXPIRED.

UNITED STATES SENTENCING COMMISSION

JOHN GLEESON, OF NEW YORK, TO BE A MEMBER OF THE UNITED STATES SENTENCING COMMISSION FOR A TERM EXPIRING OCTOBER 31, 2029. (REAPPOINTMENT)

DEPARTMENT OF JUSTICE

JOHNNY C. GOGO, OF CALIFORNIA, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF GUAM AND CONCURRENTLY UNITED STATES ATTORNEY FOR THE DISTRICT OF THE NORTHERN MARIANA ISLANDS FOR THE TERM OF FOUR YEARS, VICE ALICIA ANNE GARRIDO LIMTIACO, TERM EXPIRED.

THE JUDICIARY

SARA E. HILL, OF OKLAHOMA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF OKLAHOMA, VICE CLAIRE V. EAGAN, RETIRED.

DEPARTMENT OF JUSTICE

DAVID L. LEMMON II, OF WEST VIRGINIA, TO BE UNITED STATES MARSHAL FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA FOR THE TERM OF FOUR YEARS, VICE MICHAEL T. BAYLOUS, TERM EXPIRED.

JOSHUA S. LEVY, OF MASSACHUSETTS, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF MASSACHUSETTS FOR THE TERM OF FOUR YEARS, VICE RACHAEL S. ROLLINS, RESIGNED.

THE JUDICIARY

JOHN DAVID RUSSELL, OF OKLAHOMA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF OKLAHOMA, VICE JOHN E. DOWDELL, RETIRED.

IN THE ARMY

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

To be colonel

SAMUEL J. NIRENBERG

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES COAST GUARD TO THE GRADE INDICATED UNDER TITLE 14 U.S.C., SECTION 2121(E):

To be commander

MARK R. ALLEN
VICTOR M. ALMODOVAR
RAPHAEL S. ANDERSON
SAMUEL G. ANDRIESSEN
JOSEPH P. ANTHONY
SHANNON M. ANTHONY
CHARLES M. ARENA
JOELLEN M. ARONS
BRANDON J. ATEN
ANDREW D. BACON
JACOB D. BALDASSINI
STEVEN J. BARRY
BEAU C. BELANGER
BRETT F. BELANGER
SHEHU BELLO
KELLY C. BERRY
ANNE E. BESSER
BRENDAN A. BLAIN
BROCK A. BLAISDELL
TREVOR A. BLOUNT
STEVEN C. BLUM
JOHN P. BOTTI III
RUDY H. BOWIS
COLIN M. BOYLE
DANIEL J. BRAHAN
NICOLE E. BREDARIOL
CHRISTOPHER A. BREUER
ERICA M. BREWTON
CHRISTOPHER M. BRIGGS
SALOMEE G. BRIGGS

JEROME BROWN
 KELLEY M. BROWN
 PATRICK J. BROWN
 ROBERT J. BROWN
 JOSEPH P. BURGESS
 PATRICK M. BURNETT
 KRISTINA I. BUTLER
 KRISTEN M. BYERS
 KEVIN P. CARMICHAEL
 THEODORA L. CETRULO
 JUSTIN D. CHURCH
 BRADFORD E. CLARK
 RYAN H. CLARK
 DANIEL P. CLOONAN
 MICHAEL J. COLLET
 MICHAEL P. COMERFORD
 TABITHA C. CONNELL
 LINDSAY N. COOK
 IAN A. CULVER
 KYLE C. CUTTIE
 ANDREW J. CZARNIAK
 DANIEL A. DELGADO
 AARON J. DORRIAN
 KEITH J. ENDRES
 CHARLES R. ENGLAND
 JASON A. ERICKSON
 BRETT D. ETTINGER
 DAVID A. EVANS
 KARIN N. EVELYN
 MATTHEW E. EYLER
 KATHLEEN L. FALLON
 JUSTIN C. FELLERS
 JOHN A. FERREIRA
 ERIN E. FILLMORE
 LAURA M. FITZPATRICK
 JOHN M. FORSTER
 LAURA B. H. FOSTER
 JAMES E. FOATHERGILL
 MORGAN M. FOWLER
 KENNETH J. FRANKLIN, JR.
 RACHEL A. FRANKLIN
 MICHAEL I. FREEMAN
 ADRIANA J. GAENZLE
 DAVID J. GARDEN
 ROBERT S. GAY
 MICHAEL W. GIBSON
 LAUREN M. GILLIKIN
 ELIZABETH A. GILLIS
 SEAN C. GLAVAN
 RYAN A. GOMEZ
 SONHA A. GOMEZ
 SAMANTHA J. GORDON
 TONY L. GREGG
 STEVEN M. GREY
 MICHAEL J. HAAS
 DANIEL P. HALSIG
 AMANDA L. HARRIS
 NICHOLAS R. HARTMANN
 DAVID H. HERNDON
 MARLON L. HERON
 JENNIFER L. HERTZLER
 KEELY J. HIGBIE
 KEVIN J. HIGGINS
 SHAKA W. HILL
 JAMES M. HODGES
 CHRISTINE T. IGISOMAR
 EUNICE A. JAMES
 SARAH M. JANARO
 HARRY B. JEFFRIES
 GREGORY S. JOHNSON
 JASON J. JOLL
 PHILIP A. JONES
 TIMOTHY M. JONES

MATTHEW R. KAHLEY
 ANDREW P. KAUFFMAN
 TYLER E. KELLEY
 LESLIE M. KENNEDY
 MOLLY E. KEYSER
 BRYAN M. KILCOIN
 GARIN A. KIRKPATRICK
 RYAN A. KOROKNAY
 HAYLEY L. KOVAL
 BENJAMIN J. KREBS
 LAURA L. LADD
 CHRISTOPHER M. LAFRAMBOISE
 MATTHEW R. LAM
 MICHAEL C. LANGELIER
 JAN J. LEAGUE
 BRENDAN H. LEAHY
 TERENCE O. LEAHY
 CHANEL L. LEE
 ROBERT S. LIST
 BENJAMIN M. LITTS
 JEREMY D. MAGINOT
 JEFFREY M. MATEJKA
 ZEPHYR R. MAYS
 ROBERT E. MCCABE
 BRETT F. MCCALL
 JEREMY T. MCCALL
 CHRISTOPHER J. MCKAY
 MARTIN J. MCKENNA
 BRENT M. MELLEN
 MEGAN K. MERVAR
 ABIGAIL S. MILLER
 ADAM D. MILLER
 BRIAN L. MILLER
 DANIEL E. MILLER
 RONALD A. MILLER
 DELOISE L. MOORE
 ADAM T. MOSLEY
 RYAN W. MOWBRAY
 NIKEA L. NATTEAL
 JASON D. NGUYEN
 BRYANA K. NICHOLAS
 LIEZL A. NICHOLAS
 NICHOLAS A. NOYES
 DANIEL F. O'BRIEN III
 CHRISTOPHER M. OCONNOR
 CHRISTOPHER M. O'MEARA
 GREGORY J. OSTROV
 JACOB T. PAARLBORG
 CHRISTOPHER K. PACE
 DANIEL M. PARKER
 SHANNON J. PEIFER
 MATTHEW D. PEKOSKE
 MICHAEL M. PERSUN
 CORINNE PLUMMER
 PATRICK T. PLUMMER
 MATTHEW D. POORE
 PATRICK R. POWERS
 JEFFREY M. PREBECK
 SHANNON M. PRICE
 SARAH M. PULLIAM
 GREGORY G. QUILLEN
 CHRISTOPHER P. RABALAIIS
 JONATHAN T. REBUCK
 JOSEPH E. REITMEYER
 CHARLES J. RESSEL
 NATHANIEL J. RHODES
 KYLE T. RICHTER
 CALEB C. ROBARDS
 ZACHARY B. ROBERTSON
 LEONEL ROBLES, JR.
 CHRISTOPHER A. ROGERS
 LUIS M. RUCK
 ELIZABETH A. RUNCO

MATTHEW H. SALDIVAR
 RICHARD W. SANZO
 DARIN W. SCHNEIDER
 BRANDON S. SCHUMANN
 GUSTAV J. SEYLERSCHEIDT
 NATHAN A. SHAKESPEARE
 GEORGE W. SHEPHERD
 ERIN L. SLYCORD
 JACK B. SMITH
 KEVIN L. ST. CIN
 ALEX J. STACHEL
 DANIEL E. STEPLER
 DAVID M. STERN
 RACHEL A. STRYKER
 AMANDA M. STYLES
 KYLE M. SWEET
 STACY J. TEIXEIRA
 NKOSI R. THOMAS
 JONATHAN D. TICE
 MEGAN C. TRIVETT
 ELIZABETH A. TUFTS
 ERIC C. TURNER
 KATHERINE M. USTLER
 DANIEL VELEZ
 SCOTT T. VERHAGE
 MICHELLE K. VILLAFANE
 WILLIAM S. WALLEN
 JOSEPH K. WALTON
 BRYAN D. WATTS
 GREGORY C. WAUGH
 MORGAN L. WAY
 JAMES F. WHITE
 CHARLES M. WHITESEL
 ZACHARY M. Wiest
 SHEA G. WINTERBERGER
 JAMES B. ZORN

CONFIRMATION

Executive nomination confirmed by the Senate October 24, 2023:

DEPARTMENT OF TRANSPORTATION

MICHAEL G. WHITAKER, OF VERMONT, TO BE ADMINISTRATOR OF THE FEDERAL AVIATION ADMINISTRATION FOR THE TERM OF FIVE YEARS.

WITHDRAWALS

Executive Message transmitted by the President to the Senate on October 24, 2023 withdrawing from further Senate consideration the following nominations:

NANCY ANDERSON SPEIGHT, OF PENNSYLVANIA, TO BE A MEMBER OF THE FEDERAL LABOR RELATIONS AUTHORITY FOR A TERM OF FIVE YEARS EXPIRING JULY 1, 2024, VICE ERNEST W. DUBESTER, TERM EXPIRED, WHICH WAS SENT TO THE SENATE ON JUNE 12, 2023.

NANCY ANDERSON SPEIGHT, OF PENNSYLVANIA, TO BE A MEMBER OF THE FEDERAL LABOR RELATIONS AUTHORITY FOR A TERM OF FIVE YEARS EXPIRING JULY 1, 2029, (REAPPOINTMENT), WHICH WAS SENT TO THE SENATE ON JUNE 12, 2023.