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House of Representatives

The House was not in session today. Its next meeting will be held on Wednesday, November 1, 2023, at 12 p.m.

Senate

TUESDAY, OCTOBER 31, 2023

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.

Mighty God, thank You for the gifts of compassion, tolerance, and understanding that can help us navigate during these difficult times. May our lawmakers enable these gifts to help them feel the winds of pain, anguish, and despair blowing in our Nation and world.

As our Senators trust Your sovereignty in sunshine and in shadows, show them the right road to follow, guide them with Your precepts, and protect them with Your wisdom.

Lord, fill them with such reverence for You that they shall stand for right and leave the consequences to You.

Bring peace to our troubled world. We pray in Your powerful Name. Amen.

PLEDGE OF ALLEGIANCE

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

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication

to the Senate from the President pro tempore (Mrs. MURRAY).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, October 31, 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.

RECOGNITION OF THE MAJORITY LEADER

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

MEASURE PLACED ON THE CALENDAR—S. 3168

Mr. SCHUMER. Mr. President, just a little housekeeping, I understand that there is a bill at the desk due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the bill by title for the second time.

The senior assistant legislative clerk read as follows:

A bill (S. 3168) making emergency supplemental appropriations for assistance for the situation in Israel for the fiscal year ending September 30, 2024, and for other purposes.

Mr. SCHUMER. In order to place the bill on the calendar under the provisions of rule XIV, I would object to further proceedings.

The PRESIDING OFFICER. Objection having been heard, the bill will be placed on the calendar.

SUPPLEMENTAL FUNDING

Mr. SCHUMER. Now, Mr. President, on the business of today, today the Senate Appropriations Committee hears testimony from the Secretary of Defense and the Secretary of State on President Biden's emergency supplemental request, sent to Congress to address the national security threats happening around the world.

The right path forward for Congress is clear. We must stand with our allies in Israel; we must send humanitarian aid to innocent civilians in Gaza; we must give aid to Ukraine and hold the line against Vladimir Putin; and we must rebuff the aggressions of the Chinese Communist Party in the Indo-Pacific.

As has been true from the start of this Congress, bipartisan cooperation will be the only way anything gets to the President's desk.

So I am deeply troubled that yesterday, House Republicans released a partisan and woefully inadequate package with no aid to Ukraine, no humanitarian assistance for Gaza, no funding for the Indo-Pacific, and, in addition, poison pills that increase the deficit

- 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 help wealthy tax cheats avoid paying their fair share.

The House GOP bill is woefully inadequate and has the hard right's fingerprints all over it. It makes aid for Israel, which has just faced the worst terrorist attack in its history, contingent on poison pills that reward rich tax cheats. In short, it makes it much, much harder to pass aid for Israel.

It is insulting that the hard right is openly trying to exploit the crisis in Israel to try and reward the ultrarich. The new Speaker knows perfectly well that if you want to help Israel, you can't propose legislation that is full of poison pills. And this kind of unnecessary partisan legislation sends the wrong message to our allies and adversaries around the world.

It is almost as if the real goal of this House GOP package is not to help Israel but to get tax relief for the superwealthy, while leaving out Ukraine aid, leaving out humanitarian aid for Gaza, leaving out funding for the Indo-Pacific.

Instead of advancing a serious proposal to defend Israel, defend Ukraine, and provide humanitarian aid, this House GOP proposal is clearly designed to divide Congress on a partisan basis, not unite it. The Speaker's allies have said as much to the press. I hope the new Speaker realizes that this is a grave mistake and quickly changes course. To protect Americans against any one of these foreign threats, we must protect against them all, because you can be sure that President Xi will watch what America does in Ukraine, just as much as they watch what we do in Israel, in the Indo Pacific, and everywhere else. And the last thing Republicans in Congress should be doing is exploiting the crisis in Israel to sneak in a highly partisan provision that caters to the ultrarich, as the GOP package blatantly does.

As I mentioned when I spoke to Speaker JOHNSON the night of his election, the only way we will get anything done is in a bipartisan way. Unfortunately, in his first major decision as Speaker, Speaker JOHNSON has ignored that advice.

ARTIFICIAL INTELLIGENCE

Mr. SCHUMER. Mr. President, now on AI, yesterday, President Biden announced the first ever artificial intelligence Executive order that will keep America in the lead on AI. Later this morning, the Senate's bipartisan AI gang—Senators ROUNDS, HEINRICH, YOUNG, and I—will go to the White House to meet with President Biden to discuss how we can work together to pursue bipartisan AI legislation.

I applaud President Biden for doing the right thing by issuing yesterday's Executive order. It outlines a number of commonsense guardrails that will increase American leadership on safeguards and better protect Americans against all sorts of risk, from cyber security to bio and nuclear threats.

President Biden's AI Executive order was welcome news, but everyone knows we can and must do more here in Congress. The President's action yesterday importunes us to act, to augment and expand his Executive order with bipartisan legislation. Congress must act with a sense of urgency when it comes to AI because AI is already changing our world in dramatic ways, and other countries are trying to gain ground on us.

Tomorrow, the Senate will continue our bipartisan work on AI with our third and fourth AI Insight Forums.

In the morning, the AI Insight Forum will begin at 10 a.m. tomorrow and focus on our workforce, both the risks and opportunities that AI presents to American workers and our economy. We will hear from leaders in labor, tech, civil rights, and business on how Congress can best protect workers from the changes that IA will bring.

The afternoon AI Insight Forum will bring another diverse group to debate how Congress can prepare for AI in high-impact areas, including financial decisions, healthcare, law enforcement, among other highly consequential use cases. We will be careful to pay attention to potential bias when AI is used.

For the information of Senators, tomorrow's AI Insight Forums will take place in the Kennedy Caucus Room. Each will last approximately 2 hours. I encourage everyone on both sides to attend, and I thank Senators ROUNDS, HEINRICH, and YOUNG for their help making these bipartisan AI Insight Forums possible.

NOMINATION OF JACOB J. LEW

Mr. SCHUMER. Mr. President, now on Jack Lew, it is going to be a busy day here in the Senate. Before the end of the day, the U.S. Senate will confirm Jack Lew as the next Ambassador to Israel. For the information of Senators, we will have a cloture vote on Mr. Lew's nomination this morning, with a final vote on confirmation in the early afternoon. I urge my colleagues to vote in favor of sending an American Ambassador to Israel today.

With everything happening in Israel right now, confirming Jack Lew at this moment will be one of the most important and consequential nomination votes the Senate has taken in a long time. The need to confirm Mr. Lew is plain and irrefutable. Israel in crisis. America needs to stand with her, and a most urgent and obvious step would be ensuring we have an ambassador in place.

As the Senate takes this important vote later today, I want to applaud the remarkable team at the U.S. Embassy in Israel, all of whom have done exceptional work under the most difficult circumstances. When I went to Israel with my Senate colleagues, I got to see the Embassy's incredible work up close, especially the outstanding Charge d'Affaires. So I thank them all

for their dedication in these hard times. But it was clear when we went there that Israel needs an ambassador from the United States, especially at this time. So I hope we will get as large a vote for Mr. Lew as possible.

I want to thank my colleagues on the Senate Foreign Relations Committee who approved Mr. Lew on a 12-to-9 basis. Mr. Lew has a strong, long proven record as a public servant and a ferocious ally of Israel, and it will help send a powerful message of support to Israel to have this appointment filled ASAP.

GOVERNMENT FUNDING

Mr. SCHUMER. Mr. President, finally, on the minibus, on the legislative front, the Senate will move forward this week on bipartisan appropriations legislation. I would note that we are the only bipartisan appropriations legislation in town. The House has passed a series of very, very partisan bills filled with poison pills, cutting deeply, way below the agreement that was made in the last resolution when we dealt with avoiding default.

Last week, we began holding votes on a large number of amendments here in the Senate, offered on both sides of the aisle. In fact, when all is said and done, we will have considered 40 amendments—40—here on the floor. If both sides cooperate, it is my hope we can pass these three appropriations bills by tomorrow. When that happens, these three bills will be the only appropriations bills that have passed through either Chamber with bipartisan support, which is the only way we are going to get any funding passed in divided government.

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 ACTING PRESIDENT pro tempore. The Republican leader is recognized.

ISRAEL

Mr. McCONNELL. Mr. President, the brutal terrorist attacks of October 7 poured gasoline on the flames of anti-Semitic hatred around the world. Take the alarming reports this weekend out of Russia, a country with a long, troubled history of anti-Semitism. After weeks of pro-Hamas propaganda spewed from the Kremlin, an angry mob overran a provincial airport and surrounded a plane that had just arrived

from Israel. Chillingly, the mob went person to person, checking passports and asking if they were Muslim or Jew—a modern-day pogrom in Southern Russia.

Vladimir Putin is usually quick to accuse other countries of imagined atrocities, but he has issued no such condemnation of Hamas for the very real savagery inflicted on innocent Israelis. In fact, as this latest despicable episode of anti-Semitism unfolded on Russian soil, Putin's regime welcomed a delegation of Hamas terrorists to the Kremlin.

The Russian Government's policy is to demand that Israel agree to a ceasefire—a de facto amnesty for the terrorist aggressors who slaughtered children in their homes a few weeks ago. In that regard, street protestors across the West have found common cause with a Russian dictator.

No major power has done more to turbocharge Iran's terrorist network in the Middle East than Putin's Russia. The Kremlin's intervention in Syria allowed Tehran to establish a massive corridor of resources to terrorist proxies like Hezbollah and Hamas. So it should surprise no one that Iran has happily provided Russia with a kamikaze drone to fire at Ukrainian cities.

Russia, Iran, and China do not share an ideology, but they do share interests. They see themselves in conflict with the West and especially with America. Russia would love to see Iranian-backed terrorists in the Middle East weaken America and our allies. Iran would love to see a Russian victory against Ukraine that divides the West and deepens its own defense cooperation with Moscow. China, for its part, would love to see America's resolve to stand with European and Israeli allies and reestablish actual deterrence against Russia and Iran crumble.

So at the risk of repeating myself, the threats facing America and our allies are serious, and they are intertwined. If we ignore that fact, we do so at our own peril.

DEFENSE SPENDING

Mr. MCCONNELL. Mr. President, the Biden administration's defense budget requests have systematically ignored these growing threats. The President's supplemental request to address multiple crises that have unfolded on his watch is a recognition of this failure. So our colleagues on the Appropriations Committee now have a chance to provide critical resources that our military and defense industrial base needs to keep pace with growing threats and support our partners.

BORDER SECURITY

Mr. MCCONNELL. Mr. President, Congress also has an opportunity to force the administration to start treating our southern border like the sovereign, legal boundary that it is. The

southern border crisis is not a problem of insufficient resources. It is not the zero-sum alternative to deterring our adversaries overseas. It is the direct result of misguided policies that have incentivized record illegal migration.

It doesn't take tens of billions of dollars to fix this problem; it just takes common sense. I would urge our Democratic colleagues to show some common sense by working with Republicans to stop the border crisis, rebuild American military strength, and stand with our friends in Ukraine, Israel, and Asia.

ISRAEL

Mr. MCCONNELL. Mr. President, now on a related matter, I spoke recently about alarming reactions to the October 7 attacks coming from America's top universities. We have seen student radicals spew outright hate and campus leaders respond with agonizing, equivocating statements. But it appears that neither thick-headed, young activists nor mealy-mouthed administrators can hold a candle to university faculty when it comes to moral obtuseness. Here are a few examples:

After a student group at Columbia published a letter describing Hamas's savage attacks as the—listen to this—“struggle for freedom” of “occupied peoples [who] have the right to resist occupation,” over 100 faculty members signed a letter of their own expressing a desire to “preserve Columbia University as a beacon for fostering critical thinking and opening minds to different points of view.”

Needless to say, I am a staunch supporter of the First Amendment. People are entitled to different points of view, but they aren't entitled to different facts, and the only group that has occupied Gaza since 2007 is Hamas.

Besides, America's higher education system has a long way to go when it comes to protecting free speech and fostering diverse viewpoints. Just ask any right-of-center academic. But, of all places to start on their journey toward freedom of expression, they choose to celebrate terrorism—terrorism?

Meanwhile, the University of Pennsylvania is facing a donor revolt over campus protests and an anti-Semitic literary festival that predated October 7, but that didn't stop the local chapter of, essentially, its professors' union from issuing a six-page letter denouncing the university administration's pro-Israel views.

The school's painfully nuanced attempts at moral equivalency are, apparently, an “erasure” of Palestinian voices. Donors' outrage at radical calls for a pogrom are “coercive threats” that demand their removal from all university boards.

Let us remember who is doing the aggressing here. There is an open FBI investigation into online threats encouraging the murder—the murder—of Jewish students at Cornell. The university

has had to bring in police to help protect the kosher dining hall on campus, and many Jewish students are opting to stay in their rooms for safety.

Until recently, the tenured leftwing apparatchiks of America's elite universities might have expected donors to keep on writing checks no matter which sort of unhinged, post-modern hate they ginned up. Well, not anymore.

At Penn, one alumnus's call to boycott the school has spread like wildfire, precipitating a crisis that, by one account, could put a \$1 billion hole in the university's books. At least a dozen CEOs have pledged not to hire any members of the Harvard student groups who blamed Israel for the murders of its children. And elite law firms have started rescinding job offers from law students who regurgitate terrorist talking points. Some are even competing with each other to fund relief efforts in Israel.

So activist professors are entitled to their own opinions. But money is also protected speech, and they aren't entitled to donors' pocketbooks. That is not how the real world works.

America and our allies have woken up from a “holiday from history.” American business and philanthropists are starting to do the very same thing. Let's hope it continues.

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. THUNE. 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.

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 Matthew James Maddox, of Maryland, to be United States District Judge for the District of Maryland.

IRAN

Mr. THUNE. Mr. President, Hamas's brutal attack on Israel on October 7 has thrust not just Hamas but Iran into the spotlight. Why? Because, while Hamas may have carried out this attack, Iran enabled it and is currently enabling terrorist organizations throughout the Middle East.

U.S. SUPREME COURT

There is Hamas, which gets approximately 90 percent of its military budget from Iran and benefits from Iranian training and weapons. Then there is Hezbollah, the terrorist organization on Israel's northern border with Lebanon, which is also armed and financed by Iran. Then there are the Houthis in Yemen, who are backed by Iran and who, in the aftermath of October 7, fired missiles and drones headed in the direction of Israel, likely at Iran's direction. There are the Shia militias who are attacking American soldiers in Iraq and Syria, the Palestinian Islamic Jihad, and the list literally goes on.

As I said on the floor last week, through its proxies, Iran is literally getting away with murder. One has to wonder what the Middle East would look like today if Iran hadn't spent decades funding and arming terrorist organizations. Nor are Iran's malign activities confined to the Middle East. Iran has provided Russia with drones to use in its war of aggression against Ukraine, and now it appears that Iran is helping Russia to build a drone manufacturing facility to dramatically increase Russia's drone supply.

Meanwhile, Russia's Foreign Minister was in Iran last week and met with the Iranian President. A Reuters article on the meeting reported:

Russia and Iran are firming up bilateral relations in a 'trusting' atmosphere, Russia's foreign ministry said . . .

Mr. President, Iran doesn't just represent a danger to peace and stability in the Middle East and beyond. It is directly responsible for much of the strife that we see there. And in the wake of the October 7 attack and Israel's military response, Iran has threatened Israel with escalation and a war on "multiple fronts."

It is time to make clear to Iran that its deadly activities can't continue. The Biden administration must clearly articulate to the Iranians that if they do not stand down or if they green-light any escalation against Israel, the United States and our allies will respond. In the meantime, the administration should be exploring all avenues for ending Iran's career as a state sponsor of terror. Israel and the Arab world deserve a chance to move forward, free of Iran's malign meddling.

President Biden and his administration do not have the strongest track record on Iran—witness their misguided attempts to reboot the Obama administration's problematic nuclear deal and the decision to unfreeze \$6 billion in Iranian funds as part of a deal to free American prisoners. The President did, finally, listen to calls from myself and others in the wake of Hamas's attack to once again freeze that \$6 billion, and the administration was right to move more U.S. forces into the region to deter escalation and to respond to attacks on U.S. troops.

But it is clear that a lot more needs to be done if we want to stop Iran from funding terror. I am disappointed that the President has continued in his

choice of Jack Lew as Ambassador to Israel. Mr. Lew played a key role in developing and carrying out the Obama administration's misguided nuclear deal, and his nomination does not exactly send the message to Iran that the Biden administration will be cracking down on Iranian warmongering.

Thirty-three Americans died as a result of Hamas's October 7 act, and as many as 10 Americans are still likely trapped as hostages, with hundreds of other Americans still stuck in Gaza. Meanwhile, a number of American military personnel have been injured in drone attacks in Iraq and Syria carried out by Iran-backed groups. Add the more than 1,400 individuals who died in Hamas's October 7 attack and countless other terrorism-related deaths in the Middle East and it becomes very clear that Iran's hands are stained with the blood of thousands.

If there is to be any hope of peace in the Middle East, if there is to be any hope for a brighter and more secure future for Israelis and Palestinians and many others, then Iran's career as a state sponsor of terror must be ended. And I will do everything I can with my colleagues in Congress to see that that is accomplished. And I hope the Biden administration will do the same. It is time to end Iran's reign of terror.

ANTI-SEMITISM

Mr. President, before I yield the floor, I want to take just a moment to talk about the disturbing displays of anti-Semitism we are seeing around the world and, appallingly—appallingly—right here at home. From celebrations of Hamas's attack to threats of violence directed against Jewish individuals and organizations and a U.S. Senator, the weeks since October 7 have contained horrifying echoes of a very dark time in human history.

The spectacle of a mob storming a runway to hunt for Jewish passengers is a sight I never thought that I would see in my lifetime, and I pray it is a sight that we will never see again. But preventing this kind of evil from expanding its foothold is going to require action on our part: a willingness to stand up and to call it out and to affirm that this kind of hatred has no place in a civilized society.

In the days to come, I hope that leaders around the world will make it very clear that anti-Semitism's day is over and neither our Nation nor the world community will ever allow the dark history of the 20th century to be repeated in the 21st.

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. DURBIN. 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.

Mr. DURBIN. Mr. President, last night, I announced that the Senate Judiciary Committee, which I chair, will vote to subpoena Harlan Crow, Robin Arkley, and Leonard Leo—two billionaire megadonors and one of their enablers—who sit at the center of the ethical crisis currently gripping the U.S. Supreme Court.

This vote is the next step in the committee's ongoing investigation on the ethics of the Supreme Court. It comes only after Mr. Crow refused to comply with committee requests and Mr. Leo and Arkley outright stonewalled the committee in the exercise of our constitutional authority.

For years—years—reports of ethical misconduct by individual Justices on the Court have raised serious concerns; but over the past year, a series of investigative reports have brought the long-simmering issue to a boil. Story after story has emerged about lavish gifts and luxury trips that Supreme Court Justices shamelessly accepted and failed to disclose. The reported behavior is unworthy of anyone in public office, and it has led to an historic loss of public confidence in the Supreme Court.

Some background here is necessary. Harlan Crow is a billionaire and a Republican megadonor. He first met Justice Clarence Thomas in the mid-1990s after Thomas's confirmation to the Supreme Court. Not long after they met, Crow began to shower Justice Thomas with lavish gifts, flights on his private jet, invitations to an all-male, invitation-only private club, and a \$19,000 Bible that once belonged to Frederick Douglass.

We know about these initial gifts because Justice Thomas listed them and disclosed them on the financial disclosure forms he was required to submit under Federal law, but those disclosures abruptly stopped in 2004, almost 20 years ago, after a Los Angeles Times report questioned their propriety.

We have since learned that Justice Thomas since continued to receive gifts from Crow that are staggering in both their number and value—from additional flights on Crow's private jets to nearly annual stays at Crow's luxury camps and private clubs, to vacations on Crow's superyacht. Justice Thomas simply stopped disclosing these gifts to the American people.

But Harlan Crow is not the only billionaire bankrolling the lavish lifestyle of a Supreme Court Justice, and Justice Clarence Thomas is not the only Justice to accept improper gifts.

Let's turn to Robin Arkley. In 2008, Arkley hosted Justice Samuel Alito in his luxury fishing lodge in Alaska. There, Alito fished, flew on the lodge's bush planes, and enjoyed wine costing upwards of \$1,000 a bottle—\$1,000 a bottle. Justice Alito included none of this on his financial disclosure—nothing.

That 2008 luxury fishing trip was arranged by a man named Leonard Leo. Leo has been a longtime leader of the

conservative Federalist Society and other far-right organizations. He is the key architect of the rightwing campaign to take over the Federal courts, facilitating relationships between political donors and Justices, championing conservative political causes, and wielding a shadowy network of influence over Federal and State judges.

How can a Supreme Court Justice accept such lavish gifts, let alone fail to disclose them to the American people? The answer is very simple: The Supreme Court of the United States, the highest court in the land, does not have an enforceable code of conduct. Unlike employees of the executive and legislative branches—virtually all of them—unlike Members of Congress and all other Federal judges, the nine Supreme Court Justices alone decide for themselves what conduct is and is not appropriate.

More than 11 years ago, I asked Chief Justice Roberts to adopt a binding code of conduct for all Supreme Court Justices. I have renewed that request repeatedly this year, including last month when I sat literally physically next to the Chief Justice and spoke at the Judicial Conference. Some Justices have now publicly joined the call for an ethics code. I do believe the majority of the Justices on the Supreme Court are embarrassed by these disclosures and want this to come to an end.

So far, Chief Justice John Roberts and the Court have failed to do anything. In the face of the Supreme Court's failure, the Senate Judiciary Committee has exercised its constitutional right and duty to investigate this ethical crisis in order to craft and advance legislation to address it.

Beginning in May, the committee has sent letters to a number of these billionaires, activists, and organizations connected to the undisclosed gifts and travel. I am sorry to say I happen to believe that we have just seen a small amount of the lavish gifts that have gone to the members of the Court. Thanks to the investigative efforts of journalists, as well as the Senate Finance Committee, we have discovered some of these things, but, sadly, I believe there is much more out there.

We are seeking details about what exactly has been given to these Supreme Court Justices as well as how certain individuals and groups that have business before the Court gained such enormous access to the private lives of these Justices. Getting this information is critical.

While there has been reporting on the Justices' ethical failures, I am sorry to say that there is more information out there we need to find.

Just last week—listen to this—the Senate Finance Committee revealed that yet another wealthy benefactor, Anthony Welters, had forgiven a \$267,000 interest-only loan to Justice Thomas to purchase a luxury RV. Justice Thomas failed to disclose that.

So you understand what happened: The Justice, who seems to fancy these

RVs, had his eye on one that cost over a quarter of a million dollars. Mr. Welters agreed to loan him the money to buy the RV. Justice Thomas made one annual payment of interest on that debt, and then the debt was forgiven. And so the RV is his, a gift from Mr. Welters.

While the loan itself had been the subject of prior reporting, it was only through the Finance Committee's investigation—and the cooperation of Mr. Welters, let me add—that the favorable terms of the loan and its ultimate forgiveness came to light. In contrast to Mr. Welters' willing cooperation, Leonard Leo, Harlan Crow, and Robin Arkley—more of these fawning billionaires—have produced no substantive response and have otherwise stalled the Judiciary Committee's investigation.

Instead, their responses offer a host of baseless arguments that ignore the committee's constitutional authority to inform its legislative efforts. Their defensive and dismissive response make you wonder, What are they trying to hide?

I am not going to stand idly by as these fawning billionaires, with interests before the Court, use their immense wealth to buy private access to the Justices and then deny the Senate Judiciary Committee information to which we are lawfully entitled. That is why the committee will vote to authorize subpoenas to these individuals.

This has been a long battle for many of us, and my colleague Senator WHITEHOUSE has shown extraordinary leadership on this issue as well.

Eleven years ago, it came to my attention that the Supreme Court just didn't have a code of conduct. How can we justify this? Nine Justices on the highest Court in the land, no code of conduct. What about the other Federal judges? They are bound by a code of conduct. If the Justices on the Supreme Court merely assumed the same code of conduct, with some modifications, we would at least say they are making a step in the right direction, but they ignored it, and they resisted it. In fact, Justice Alito and Justice Thomas have been belligerent when they have been confronted with these issues; that it is no one's business but their own as to what they do with their private lives.

Unfortunately, when you accept a post in public service, that is not the case. Our private lives become part of that public service. And certainly, if there is any suggestion of a conflict in a situation where individuals—billionaires—who have an interest before the Court are buying access and time with these Justices, that is certainly relevant to our work in the Senate Judiciary Committee.

Mr. President, as a member of the committee, you understand we have gone through this process very deliberately and patiently and slowly and reached a point where we believe subpoenaing this information is the only

way to get the facts before the American people.

I am hoping that this is successful; I hope that it becomes bipartisan; and I hope that we bring to this Court the type of reputation which it has enjoyed over the years.

I yield the floor.

The PRESIDING OFFICER (Mr. PADILLA). The Senator from Alabama.

ISRAEL

Mr. TUBERVILLE. Mr. President, I come to the floor today to express my strong—very strong—support for Israel. On October 7, Israel was suddenly and deliberately attacked by a group of terrorists. Now, they didn't attack military institutions; they attacked citizens—citizens in Israel. It has been described by some as Israel's 9/11 or Israel's Pearl Harbor.

They killed women and children. They filmed themselves, and they broadcast it on the internet. They were proud. They were very proud of what they were doing. They killed more than 1,400 innocent people. This includes more than 30 Americans. Sometimes that is forgotten by our mainstream media.

This is the largest terrorist killing of Americans since 9/11. More than 100 people—100 people—are still held hostage by Hamas, and this also includes Americans.

So we need to do two things: First, we need to get the hostages out. That is very, very important. It has been too long. Then, we need to ensure that this never happens again.

You know, Israel can do both of these things. Israel has a highly—a very highly—advanced military and a highly advanced economy. The only way to ensure that Hamas cannot ever attack again, as Israel says, is to wipe them from the face of the Earth.

This is Israel's mission, and we hear this from their leaders every day. The role of the United States in this conflict should be to support and supply.

So let's first talk about support. Over the last 2 weeks, we have seen the left-wing protest against Israel and support of Hamas. It is hard to believe, but it is very, very, very true. We have seen them overseas in London and in Sydney, but we have also seen them here in the United States on college campuses.

To me, that is absolutely disgusting. I will just mention a few examples. Students at Harvard—at Harvard, mind you—defended Hamas for what they did. Next, they will be complaining about not being able to get jobs. I wonder why they won't be able to get jobs, especially in places like Wall Street.

Students at the University of California, Long Beach, handed out fliers with pictures of Hamas. The list goes on and on. But this tells us a lot about the state of our education in this country.

I was involved in education for 40 years. I can understand it. These kids don't know the first thing about the Middle East or about foreign policy. A

lot are not taught this. But they have been marinated in woke ideology since grade school at a lot of our public schools. Leftwing groups are siding with terrorists because of this.

Today, there are protests happening here at the Capitol, right here on Capitol Hill. The appropriations hearings with Secretary Austin and Secretary Blinken have been repeatedly—repeatedly—every few minutes, interrupted by leftwing, pro-Hamas protesters. Pro-Hamas leftists shut down a building in the House just a couple of weeks ago—shut it down. Now they want to shut down the Appropriations Committee. Many of these groups are funded by Democrat dark money groups.

These leftwing groups are calling for a cease-fire over in Gaza. This is like calling for a cease-fire after Pearl Harbor, as some of the leaders in Israel have said.

To me, a cease-fire is a surrender. A cease-fire means Hamas gets to kill civilians without any consequences after what they did on October 7. Every single Democrat in the Senate needs to condemn these leftwing groups—everybody. We all need to condemn these groups.

The left is making excuses for these terrorists. It is immoral, and it is un-American what is going on across our country and with these protests. We need to ensure that terrorists never ever attack anybody like this again. This requires, again, wiping off Hamas from the map. And as you listen to the Israeli leaders, that is exactly what they plan to do.

Israel is going to be able to do this. They are going to be able to do it themselves. They are not going to need our help, but they will need supplies. We need to ensure that they have what they need to wipe Hamas off from existence.

I support sending Israel more weapons if they need them. But, unfortunately, there is already an effort to tie Israel funding to Ukraine funding right here in this building.

President Biden sent over a request for a supplemental funding bill just this past week, and it includes \$14 billion for Israel. But it also includes \$60 billion for Ukraine. That is \$230 million a day. That is four times as much for Ukraine than it is for Israel. The war in Ukraine has nothing do with the war in Israel. Israel is our No. 1 ally. Sometimes people forget that. Ukraine is not our No. 1 ally. They are not even in NATO.

The war in Israel is about killing terrorists who want to kill not only people in countries like Israel but also Americans. There is no reason Ukraine and Israel aid need to be in the same bill. I am against that. I am for funding Israel, first and foremost. So we need to vote on them separately. We ought to support Israel, and we need to supply Israel. We need to stand with them as they take on the terrorists. It is going to be a very, very tough and grueling job, but we support them.

SUNSHINE PROTECTION ACT

Mr. President, I also come to the floor today to talk about something a little bit different. This weekend, Americans are going to fall back. Daylight saving time, it is coming to an end. This should be the last time we ever have to fall back.

Senator RUBIO and I have introduced legislation the last 2 years that would do just that. It is called the Sunshine Protection Act, supported by a lot of people. Over the past 2 years, I have received countless calls from all over the State of Alabama to make daylight saving time permanent. We are living in the past.

Many Alabamians—including parents, senior citizens, farmers, and mental health professionals—have called my office in support of more sunshine in the evening. This is probably one of the top issues I get phone calls about, and we deal with a lot of them. But it is amazing how many phone calls we do get over this one topic. People across America agree that changing our clocks back and forth twice a year really makes no sense. It makes no sense sometimes and, as I said earlier, people call and say they are just sick of it.

The idea of daylight saving was originally known as “war time.” That is when it was started. It was first introduced as a temporary measure to save energy during World War I. Many studies have proven that extra sunlight in the evening has benefits for mental health, physical fitness, economic growth, and overall well-being. It is a simple way we could positively impact the day-to-day life of all Americans.

This bill is also a way to get something done that a lot of people care about. It affects everybody’s life in this country. Shifting clocks can disrupt sleep patterns. It is kind of like a jetlag. We are giving the entire country jetlag twice a year. But a permanent daylight saving time will have Americans maintain a consistent sleep schedule.

Studies show disrupting sleep patterns increases the risk of cardiovascular disease and other diseases. Northwestern’s medical school found that the “fall back and spring forward” comes with 9 percent spike in fatal car accidents and 24 percent higher risks of heart attacks. The long-term effects of sleep disruption include weight gain, headaches, and depression.

The time switch in the fall increases seasonal affective disorder. One study found that the transition from daylight saving time to standard time increases the number of hospital visits of depression by 11 percent. You would think we would listen to that.

Permanent daylight saving time with extra sunlight in the evening will also encourage more physical activity. Kids will be able to enjoy the outdoors more. Older Americans will be able to increase their vitamin D. Longer daylight hours in the evening have been proven to stimulate economic activity.

People are more likely to shop, dine out, and participate in group activities when there is light outside.

For one thing, it really affects our farmers. More sunshine during working hours means more time to work in the fields, which can translate into more profits, which our farmers desperately need. Permanent daylight saving could help farmers save energy.

In my State of Alabama, along with 17 other States, they have already passed legislation to end the outdated practice of changing the clocks. But the Federal Government must act to allow these State laws to go into effect. Making daylight saving time permanent would improve our health, bolster our economy, benefit our farmers, and put America on the path to a brighter future. It makes a lot of sense. It is time to move America forward and stop falling back.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

NOMINATION OF JACOB J. LEW

Mr. CARDIN. Mr. President, I come to the floor today in support of Jacob Lew to be our Ambassador to Israel. We will have a chance to vote on that in a few moments, first on cloture and then, hopefully, on the confirmation, with the cloture being imposed.

The attack by Hamas on Israel earlier this month was heinous. It was evil. It was indescribably brutal.

I was just in Israel with 10 Senators—5 Democrats, 5 Republicans—and saw firsthand the scars and devastation. I saw the grief and the shock. We were there to make it clear that Israel has the right to defend itself; it has the obligation to defend itself.

We recognize that the ground campaign has started to eliminate Hamas. Hamas is evil. They are equivalent to ISIS and maybe, in some cases, worse. Israel’s security depends upon the demise of Hamas, as does the Palestinians’ future in Gaza depend upon Hamas being eliminated.

We have ongoing challenges. Two hundred-plus hostages are being held by Hamas. Their safe return is one of our highest priorities. We are all working very hard. President Biden has made it clear with the positioning of U.S. assets, as well as his engagement in the Middle East to prevent the escalation of this conflict. For those enemies of the United States and Israel trying to take advantage of the combat in Gaza to escalate the conflict, we have to make sure that does not happen.

We have a real challenge with the humanitarian assistance to the Palestinians in Gaza who are trying to escape the brutality of Hamas. We are now fortunate that we are able to start getting humanitarian trucks into Gaza. We hope to be at about 100 trucks a day through the Rafah gate. More is needed. We need to provide for the medical needs and safe passage for Palestinians trying to avoid the conflict. All of this is made much more difficult because of Hamas.

These challenges require a U.S. partnership. We need a confirmed ambassador. We need to work together on operations. We need to work together on tactics. We need to work together on strategy with Israel. It is so much more difficult for us to be able to do that without a confirmed ambassador in Jerusalem.

How are we going to diplomatically engage at the highest levels in the region if we don't have a confirmed ambassador? It makes it much more difficult. Who is going to lead our mission to help the more than half a million American citizens who live in Israel? It is made much more difficult without a confirmed ambassador.

I want to make it clear that our Chargé d'Affaires in Jerusalem, Stephanie Hallett, is doing a phenomenal job, as are the men and women of our mission in Jerusalem. And they deserve our thanks, our appreciation for being on the frontline to represent America's interest. There is no question about their loyalty and their dedication to the mission. The U.S. team at Mission Israel is the best in the field, but that is no substitute for a confirmed ambassador.

Jacob Lew is eminently qualified to serve in this post. He has extensive experience. He has the political acumen that we need for our Ambassador at this time. He has the respect of the Israeli officials.

The Foreign Minister tweeted that they look forward to working with Jack Lew in "the spirit of our close cooperation and alliance."

The Jerusalem Post said:

Jack Lew is a worthy nominee and a mensch.

Support for his nomination ranges from the Orthodox Union Advocacy Center to the Anti-Defamation League.

Last week, he advanced out of the Foreign Relations Committee on a bipartisan vote. I want to thank my colleagues who worked so hard to get him through the committee.

Of course, this would not be the first time that Secretary Lew has had the support of the Senate. He has been nominated for a number of positions, and this body has confirmed him with overwhelming support in the past.

Now, with Israel at war, with Hamas holding hostages in their tunnels in Gaza, with the entire world watching, given the stakes of the situation, given that Israel is fighting to defend itself, given that American lives are at risk, we cannot afford any delay. Israel cannot afford a delay.

Mr. President, I urge my colleagues to support cloture on Jack Lew's nomination so we can get the confirmation vote without delay. I hope that you will support these efforts.

I yield the floor.

NOMINATION OF MATTHEW JAMES MADDOX

Mr. DURBIN. Mr. President, today, the Senate will vote to confirm Judge Matthew James Maddox to the U.S. District Court for the District of Maryland.

A native Marylander, Judge Maddox received his B.A. from Morgan State University and his J.D. from Yale Law School before clerking for Judge Gerald Bruce Lee on the U.S. District Court for the Eastern District of Virginia. Following his clerkship, Judge Maddox worked as an associate at Holland & Knight LLP, where he primarily represented business clients in civil litigation, regulatory compliance, and risk management matters. He then completed a second clerkship with Judge Andre Davis on the U.S. Court of Appeals for the Fourth Circuit. Judge Maddox spent the bulk of his legal career working in public service as an assistant U.S. attorney in the District of Maryland. Last year, he was appointed by the judges of the U.S. District Court for the District of Maryland to serve as a magistrate judge. The American Bar Association unanimously rated Judge Maddox as "well qualified," and his nomination is strongly supported by his home state Senators, Mr. CARDIN and Mr. VAN HOLLEN.

With significant experience in both criminal and civil matters and a proven dedication to equal justice under law, Judge Maddox will serve the District of Maryland with distinction.

I am proud to support his nomination.

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

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

BUSINESS BEFORE THE SENATE

Mr. CARDIN. Mr. President, for the information of the Senate, when the Senate resumes consideration of H.R. 4366, the following amendments are expected to be made pending, as provided under the order of October 24: Hawley No. 1200, Cruz No. 1296, Blackburn-Warner No. 1349, and Budd No. 1243.

I further ask unanimous consent that there be up to 10 minutes debate, equally divided, prior to the vote on amendment No. 1296, with all previous provisions remaining in effect.

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

Mr. CARDIN. Mr. President, for the information of the Senate, Senators should expect four rollcall votes beginning at 2:30 p.m. today.

I ask unanimous consent that the vote scheduled for 11:30 begin immediately.

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

VOTE ON MADDOX NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Maddox nomination?

Mr. CARDIN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Utah (Mr. LEE), the Senator from South Carolina (Mr. SCOTT), and the Senator from North Carolina (Mr. TILLIS).

The Senator from North Carolina (Mr. TILLIS) would have voted "nay."

The result was announced—yeas 55, nays 42, as follows:

[Rollcall Vote No. 274 Ex.]

YEAS—55

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

NAYS—42

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

NOT VOTING—3

Lee	Scott (SC)	Tillis
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The nomination was confirmed.

The PRESIDING OFFICER (Mr. HICKENLOOPER). Under the previous order, the motion to reconsider is considered made and laid upon the table. The President will be immediately notified of the Senate's action.

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. 370, Jacob J. Lew, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the State of Israel.

Charles E. Schumer, Benjamin L. Cardin, Debbie Stabenow, Tammy Duckworth, Mark Kelly, Tina Smith, Tammy Baldwin, Robert P. Casey, Jr., Elizabeth Warren, Christopher A. Coons, Tim Kaine, Christopher Murphy, Sheldon Whitehouse, Jeanne Shaheen, Richard Blumenthal, Chris Van Hollen, Richard J. Durbin.

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 Jacob J. Lew, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the State of Israel, 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. THUNE. The following Senators are necessarily absent: the Senator from Utah (Mr. LEE), the Senator from South Carolina (Mr. SCOTT), and the Senator from North Carolina (Mr. TILLIS).

The yeas and nays resulted—yeas 53, nays 44, as follows:

[Rollcall Vote No. 275 Ex.]

YEAS—53

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

NAYS—44

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

NOT VOTING—3

Lee	Scott (SC)	Tillis
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The PRESIDING OFFICER (Mr. LUJÁN). On this vote, the yeas are 53, the nays are 44.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of Jacob J. Lew, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the State of Israel.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 1:53 p.m., recessed until 2:15 p.m. and reassem-

bled when called to order by the Presiding Officer (Mr. LUJÁN).

The PRESIDING OFFICER. The Senator from Arkansas.

EXECUTIVE CALENDAR—Continued

NOMINATION OF JACOB J. LEW

Mr. COTTON. Mr. President, 3 weeks ago, Iranian-backed Hamas terrorists murdered 33 Americans and 1,400 Israelis in the deadliest terrorist attack since September 11, 2001. These depraved savages killed more Jews in a single day than any time since the Holocaust.

Israel is now at war and on the verge of what could be its bloodiest battle in a generation. And the struggle is real. It is not only fighting Hamas and Gaza, it is fighting a confederation of Iranian-trained, funded, and armed terrorist organizations. From the Houthis in Yemen to Hezbollah in Lebanon, to Palestinian Islamic Jihad in the West Bank, Iran is besieging Israel by proxy. At the same time, Iran is conducting extensive attacks against Americans in the region.

Since Joe Biden took office, Iran and its proxies have attacked American forces more than 100 times.

Let me say that again: 100 times.

That is why we need a person of strength as the U.S. Ambassador in Israel. We need an ambassador who is a champion of the American-Israeli relationship who can bridge the Democratic-driven divide in the alliance. We need an ambassador who is clear-eyed about the Iranian threat and prepared to confront it.

Instead, President Biden has nominated Jack Lew, who at times seems a better friend to Tehran than Jerusalem. The U.S. Senate should reject this nomination to be Ambassador to Israel. A vote for him is a vote to subvert, not strengthen, our ally in its time of need.

As President Obama's Treasury Secretary, Jack Lew was the leading proponent of the disastrous Iran nuclear deal. The deal delivered more than \$100 billion to the ayatollahs. Mr. Lew called the agreement a strong deal and said:

[It] will make our country safer, it will make our allies safer, and it will make the world safer.

He apparently didn't consult our allies, though, before making that statement because our allies in Israel certainly didn't agree. In fact, Prime Minister Netanyahu called the agreement "a very bad deal." And one poll found that 73 percent of Jewish Israelis believed that the deal posed an existential threat to the Jewish State.

Prime Minister Netanyahu was so opposed to the Iran deal, which Mr. Lew championed, that he traveled to the United States and addressed a joint session of this Congress to urge our opposition.

Mr. Lew condemned Prime Minister Netanyahu's speech as "beyond the pale" and "a huge mistake." Appar-

ently, Mr. Lew also did not consult our own Democratic leader, the Senator from New York, who also voted against the disastrous Iran deal.

Worse still, Mr. Lew stood with President Obama when he refused to veto a United Nations Security Council resolution condemning Israel. This was nothing but an act of spite by Barack Obama against Israel's leadership. Yet Mr. Lew stood by his boss, dismissively asserting that "I don't think it's a great thing for Israel to always have only the United States standing between it and condemnation."

So, according to Mr. Lew, I guess it is better to have Israel condemned than to have Israel's back. Mr. Lew, apparently, doesn't understand that doing what is right is sometimes lonely business.

The next American Ambassador to Israel must be prepared for the hard and lonely work of sometimes standing up against the rest of the region and, indeed, the rest of the world in defense of American and Israeli interests.

Mr. Lew's glib comments demonstrate that he lacks either the nerve or the will to stand up for Israel when it really matters and the chips are down, as they are today.

But Mr. Lew didn't just advocate on behalf of the Iran nuclear deal or attack its Israeli critics; he lied to Congress to protect the deal—indeed, to go beyond what the nuclear deal required. Mr. Lew told the Senate Foreign Relations Committee in the summer of 2015 that Iran would "continue to be denied access to the [American] financial and commercial market."

Mr. Lew also testified that Iranian banks "will continue to be denied access to the world's largest financial and commercial market."

But 7 months later, in early 2016, Jack Lew's Treasury Department granted a license to convert almost \$6 billion of Iranian assets into American currency using our financial system. This was not required by the Iran nuclear deal. This went over and above the dictates of that deal. But apparently Barack Obama and Jack Lew felt bad for the murderous ayatollahs because they weren't getting enough economic benefit out of the deal.

He even pressured two American banks to complete the transaction, and they, sanely and patriotically, said: No thanks. We don't want to touch Iran's blood money.

If that is not lying to Congress, I don't really know what is. But in addition to lying, Mr. Lew neglected to inform Congress that his department was sending its representatives around the world to encourage foreign countries and companies to do business with Iran.

According to a Senate committee report, authored by former Senator Robert Portman, the Treasury and State Department conducted more the 200 so-called road shows in foreign cities to encourage economic engagement with Tehran.

Again, this is not required by the nuclear deal with Iran. Nothing said Jack Lew and his agents at Treasury had to act as the de facto investment bankers and business agents for the murderous ayatollahs.

He apparently felt so much sympathy for the ayatollahs that he and John Kerry, as Secretary of State, would send their agents all around the world, hustling up business for Iran's terror regime.

And now this is the man who is going to represent American interests in Jerusalem? The Senate should not confirm Jack Lew, a man who has lied to Congress both by omission and overt dishonesty. The Senate should likewise not confirm a man who has acted as the de facto business investment banker and business agent for the blood-thirsty ayatollahs.

Mr. Lew's supporters have claimed that although flawed, we need an ambassador to Israel during this crisis, and Mr. Lew is the man in offering. But the fact is, no one is better than Jack Lew. And the sooner we defeat his nomination, the sooner we can find someone worthy of this critical post.

I know my Democratic friends say we have to confirm Mr. Lew to show our support for Israel. I would turn that around and say: We have to defeat Mr. Lew's nomination to show that our Nation is finally serious about confronting the ayatollahs in Iran. And there is no clearer or immediate action that Senators could take to show a new direction for U.S. policy on Iran than to reject the nomination of one of the architects of the Iran nuclear deal.

Both the United States and Israel deserve a lot better than Jack Lew. I urge my colleagues to oppose his nomination.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. RISCH. Mr. President, I ask unanimous consent that I be permitted to speak for up to 2 minutes and Senator CARDIN be permitted to speak for up to 5 minutes prior to the scheduled rollcall vote.

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

The Senator from Idaho.

Mr. RISCH. Mr. President, I rise in opposition to this nomination, and I rise in support of our strong support for Israel. I understand it is important to move as quickly as we can to have an ambassador in Jerusalem. We are at an important moment in history with the events in Israel. This makes the stakes so much higher and important that we get it right. I believe it means we should take the time to get it right.

This appointment that has been made is very disappointing. As my colleague just mentioned, it really ignores the fact that the underlying problem here is our policy and policies toward Iran. Certainly, we all talk about Hamas. They have done horrible things. The horrific attack on Israel, where they beheaded babies, killed innocent men and women in their beds

sometimes, really, really deserves a response. But it also deserves for us to look at the underlying problem here, which is Iran.

Hamas would not exist if it were not for Iran. Iran arms them, trains them, finances them, and directs them. We all know that. So how does that fit in with this particular appointment?

Well, Mr. Lew did some things which were very much contrary, I believe, to what needs to be done in order for us to redo our policies toward Iran. When it came to the JCPOA—which, as we all know, there was a difference between our side of the aisle and the other side of the aisle on whether we should do the JCPOA or not—Mr. Lew was heavily involved in that. He promised us in the committee that he would not allow Iran to have access to the U.S. financial system. We know, for a fact, that after that, although he denied it, he did, in fact, attempt his very best to have Iran have access to the U.S. financial system. This is borne out by an official report of the U.S. Senate by the Permanent Subcommittee on Investigations. They interviewed the banks that Mr. Lew attempted to twist their arms to give Iran access to the financial system. There was a very detailed investigation that was done on the facts. The facts are contained in this report.

My good friends will say: Oh, but that wasn't a bipartisan report. It is an official report by the Permanent Subcommittee on Investigations. My friends on the other side of the aisle, though, will not deny the facts that are in this report. And the facts are that Mr. Lew is involved in this, as I have described.

I want to support Israel. I think everybody on this floor wants to support Israel. The last thing we need is somebody who is very contrary to our view on how Iran should be handled.

Mr. Lew's response to this was: Well, everybody knew what Obama's policies were, and, therefore, everybody should have known that we would do anything to blindly support the policies.

That is wrong. This is the wrong way to go about it. This is the wrong person, at the wrong time, in the wrong place. We should vote no and support Israel.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, a little over a week ago, I was in Israel with 10 U.S. Senators meeting with the Israeli leadership. I must tell you, they are very much looking forward to having a confirmed ambassador from the United States in Jerusalem to help in regard to the challenges they are now facing as a result of Hamas's terrorist attack in Israel. And they are very much looking forward to Jack Lew being that ambassador. We heard that directly.

His nomination has been welcomed by the Israelis, including Israel's Foreign Minister, who said he looks forward to working with him. The former Israeli Ambassador to the United

States wrote that Lew is "a true statesman, a passionate Jew and a mensch in every sense of the word." He has the support of the Jerusalem Post, the Orthodox Union Advocacy Center, the Anti-Defamation League. The list goes on and on and on. Why? Because he is so well qualified for this position. He has been confirmed by the Senate as a former Secretary of Treasury, as a Deputy Secretary of State, as an OMB Director. And the list goes on and on and on. He was confirmed by an overwhelming majority. It gives us the person as our representative to Israel who has the gravitas to stand shoulder to shoulder with Israel as the United States partners in the challenges that they are facing today.

So there is, to me, no question about his qualifications, no question about his presence being welcomed by our Israeli friends, no question about his knowledge and commitment to these issues. He has worked almost his entire life, in part, to strengthen the U.S.-Israel partnership. He knows the values. He testified to that during this confirmation hearing. And he testified in regard to the issues that my Republican friends are raising, the issues of whether he was forthright with Congress—and he was.

He pointed out that in regard to opening up the banking for Iran, it was to comply with the JCPOA that was negotiated by the Obama administration and which the Republicans were opposed to. And I opposed that agreement.

I helped work with Senator Corker, then chairman of the Senate Foreign Relations Committee—I was ranking Democrat at the time—to develop a process where we would not be surprised by these negotiations and that we would have input into these negotiations. That process passed the Senate by a near-unanimous vote.

As part of that process, we had in-depth discussions with the Obama administration, including Secretary Lew, including Secretary Moniz, and others, who shared with us exactly what was being negotiated. We knew that there was going to be a transfer of funds in regards to the JCPOA. We recognized that the banking system would be open for that limited purpose.

That is not misleading us. It is telling us exactly what we knew was going to happen before we took it up under the review statute. It is just not right to say he misled us. He did not. The report they are referring to was a partisan report issued by the Republicans. There is a reason why it was not bipartisan. They were just trying to double down on their opposition to the JCPOA.

Israel needs a strong U.S. Ambassador who will represent America and be their partner in taking on one of the greatest struggles in their history—the terrorist attack by Hamas that they did on October 7. We need a confirmed ambassador who is knowledgeable as to how they could represent over half a

million Americans who are currently in Israel. We need Jack Lew's expertise to help us get the hostages back safely on the ground in Israel.

I want to thank Secretary Lew for being willing at this time, at this critical moment, to serve his country in this critically important position, and I would hope my colleagues would vote for his confirmation, recognizing that we could not have a more qualified individual to represent America as our Ambassador to Israel.

I yield the floor.

VOTE ON LEW NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Lew nomination?

Mr. CARDIN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Utah (Mr. LEE), the Senator from Kansas (Mr. MARSHALL), the Senator from South Carolina (Mr. SCOTT), and the Senator from North Carolina (Mr. TILLIS).

The Senator from North Carolina (Mr. TILLIS) would have voted "nay" and the Senator from Kansas (Mr. MARSHALL) would have voted "nay."

The result was announced—yeas 53, nays 43, as follows:

[Rollcall Vote No. 276 Ex.]

YEAS—53

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

NAYS—43

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

NOT VOTING—4

Lee	Scott (SC)
Marshall	Tillis

The nomination was confirmed.

The PRESIDING OFFICER (Mr. WELCH). Under the previous order, the motion to reconsider is considered

made and laid upon the table, and the President will be immediately notified of the Senate's action.

The majority leader.

Mr. SCHUMER. Mr. President, the Senate, I am proud to say, has now taken an extremely important step in our support of Israel. We have approved, with bipartisan support, Jack Lew to serve as the U.S. Ambassador to Israel. With Israel defending itself against Hamas, this ambassadorship is as important and timely as any nomination that the Senate has confirmed in a long time.

Mr. Lew is the right man for the job of Ambassador to Israel. He is a capable public servant, a fierce ally of Israel's, and commands a broad base of trust and respect, and he is a decent and humane man.

When my colleagues and I met with the Israeli Government, we promised to send them an ambassador as soon as possible. Today, the Senate has kept that promise. Having an ambassador in Israel means stronger diplomatic ties between the United States and Israel at a time when these bonds matter most. It means Israel's messages will be conveyed appropriately to our government, but it also means our government's messages will be sent appropriately to the Israeli Government. So it helps the two-way street of communication—so important right now. Having an ambassador ensures America can work with Israel and communicate with Israel in both directions at the highest level as the fight against Hamas continues.

I thank my colleagues for confirming Mr. Lew on a bipartisan basis. Thank you to Chairman CARDIN and the Senate Foreign Relations Committee, which championed Mr. Lew's nomination.

Finally, I want to applaud the remarkable team at the U.S. Embassy in Israel, all of whom have done exceptional work under the most difficult circumstances.

When I went to Israel with my Senate colleagues, I got to see the Embassy's incredible work up close, especially the outstanding Charg d'Affaires, but we also saw the need, the vacancy, the hole that was there during a time of crisis when we didn't have an ambassador, and we saw how much we needed one. We are easing the short-staffed Embassy's burden by sending a fully appointed ambassador so they can continue carrying out their mission with excellence during this pivotal moment.

LEGISLATIVE SESSION

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

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session and the con-

sideration of H.R. 4366, which the clerk will report.

The legislative clerk read as follows:

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

Pending:

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

The PRESIDING OFFICER. The Senator from Missouri.

AMENDMENT NO. 1200 TO AMENDMENT NO. 1092

Mr. HAWLEY. Mr. President, I call up my amendment No. 1200, and I ask that it be reported by number.

The PRESIDING OFFICER. The clerk will report the amendment by number.

The legislative clerk read as follows:

The Senator from Missouri [Mr. HAWLEY] proposes an amendment numbered 1200 to amendment No. 1092.

The amendment is as follows:

(Purpose: To prohibit the use of funds for providing grants, funding, or any financial benefit to Chinese entities)

At the appropriate place, insert the following:

SEC. _____. PROHIBITION ON USE OF FUNDS FOR PROVIDING GRANTS, FUNDING, OR ANY FINANCIAL BENEFIT TO CHINESE ENTITIES.

(a) IN GENERAL.—None of the funds appropriated or otherwise made available by this Act may be used to provide grants, funding, or any financial benefit to any entity, including any corporation, that—

(1) is organized under the laws of, is headquartered in, or has its principal place of business in the People's Republic of China, including any Special Administrative Region; or

(2) is subject to the control (as defined in section 800.208 of title 31, Code of Federal Regulations (as in effect on the date of enactment of this Act)) of an entity described in paragraph (1).

(b) DEFINITION OF CORPORATION.—In this section, the term "corporation"—

(1) means an entity with the business structure of a corporation, a company, a limited liability company, a limited partnership, a business trust, a business association, or another similar entity; and

(2) includes any subsidiary or branch of an entity described in paragraph (1).

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes for debate, equally divided.

The Senator from Missouri.

Mr. HAWLEY. Mr. President, the appropriations bills that we are now considering appropriate a total of \$280 billion—\$280 billion—in taxpayer money—money that will be used by Agencies ranging from the Department of Veterans Affairs to Transportation and Agriculture.

This amendment does something very simple. Whatever other disagreements we may have about the spending in these bills, surely we can agree that this money ought to go to Americans and American companies and our allies. So all this amendment does is it

less productive, as autoworkers fear for their jobs; less competitive, as automakers seek to stay afloat after unprofitable investments—Ford is losing a whopping \$36,000 on every single EV sold—and less prosperous, as families pay more for cars they don't actually want or, even worse, see their tax dollars spent on yet more bailouts.

Congress must have a role in these kinds of far-reaching policies and the officials who implement them. The appointments clause of the Constitution is a critical check on Executive power. The Senate must protect its prerogative to review the President's nominees to powerful, unelected positions in the Federal Government.

Some important protections already exist in law. The “Vacancies Act” sets rules for how a President may temporarily fill posts with acting officials. One of the restrictions it imposes is that a person may not serve as an acting official once the President submits his or her nomination to the Senate for the same position. This rule protects the Senate’s constitutional role. It applies to Ms. Carlson’s withdrawn nomination, and the limited exceptions to the rule do not allow her to serve as the acting head of NHTSA.

The PRESIDING OFFICER. The Senator’s time has expired.

Mr. CRUZ. This bill would enforce our advice-and-consent authority.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. SCHATZ. Mr. President, this is a personal attack on a public servant, and it should be rejected.

To be clear, Ann Carlson is legally authorized to serve as the Acting Administrator of NHTSA under the Federal Vacancies Reform Act. But what this amendment would do is set an alarming precedent in the Senate that, if you have a political or policy disagreement with a particular administration policy, you can take the public servant who is in charge of implementing it and take their salary hostage.

And if the issue is that she hasn’t been confirmed by the Senate, let’s remember that in the last administration we had two different Acting Administrators working for months without being Senate confirmed, and it is no surprise that the ranking member of the Commerce Committee didn’t object to them because he agreed with their policy.

It is fine for you to disagree with fuel efficiency incentives. It is fine for you to never want to move on from the internal combustion engine and to oppose the electric vehicle revolution. That is fine. What is not OK is the U.S. Senate coming in and defunding a position of an Administrator with whom you disagree.

And I want you all to think about this, Republicans. I want you all to think about this, Democrats. There will be times, as Claire McCaskill used to say, that “the door swings both ways in Washington.” So let’s think

very carefully about whether we want to set a precedent where the U.S. Senate defunds public servants with whom we disagree.

This amendment should be rejected.

VOTE ON AMENDMENT NO. 1296

The PRESIDING OFFICER. If there is no further debate, the question now occurs on agreeing to amendment No. 1296.

Mr. CRUZ. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Georgia (Mr. OSBOFF) is necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Utah (Mr. LEE), the Senator from South Carolina (Mr. SCOTT), and the Senator from North Carolina (Mr. TILLIS).

Further, if present and voting: the Senator from North Carolina (Mr. TILLIS) would have voted “aye.”

The result was announced—yeas 47, nays 49, as follows:

[Rollcall Vote No. 278 Leg.]

YEAS—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)
Cornyn	Lankford	Sullivan
Cotton	Lummis	Thune
Cramer	Manchin	Tuberville
Crapo	Marshall	Vance
Cruz	McConnell	Wicker
Daines	Moran	Young
Ernst	Mullin	

NAYS—49

Baldwin	Heinrich	Sanders
Bennet	Hickenlooper	Schatz
Blumenthal	Hirono	Schumer
Booker	Kaine	Shafeen
Brown	Kelly	Sinema
Butler	King	Smith
Cantwell	Klobuchar	Stabenow
Cardin	Luján	Tester
Carper	Markley	Van Hollen
Casey	Menzendez	Warner
Coons	Merkley	Warnock
Cortez Masto	Murphy	Warren
Duckworth	Murray	Welch
Durbin	Padilla	Whitehouse
Fetterman	Peters	Wyden
Gillibrand	Reed	
Hassan	Rosen	

NOT VOTING—4

Lee	Scott (SC)
Ossoff	Tillis

The amendment (No. 1296) was rejected.

(Mr. LUJÁN assumed the Chair.)

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

AMENDMENT NO. 1349 TO AMENDMENT NO. 1092

Ms. COLLINS. Mr. President, I call up Senator BLACKBURN’s amendment No. 1349, and I ask that it be reported by number.

The PRESIDING OFFICER. The clerk will report by number.

The senior assistant legislative clerk read as follows:

The Senator from Maine [Ms. COLLINS], for Mrs. BLACKBURN, proposes an amendment numbered 1349 to amendment No. 1092.

The amendment is as follows:

(Purpose: To withhold Federal funding from the Department of Transportation for awarding any Federal assistance to entities from certain foreign countries for projects related to unmanned aircraft systems, and for other purposes)

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

SEC. _____. None of the funds made available by this Act for the Federal Aviation Administration related to unmanned aircraft systems may be used to make awards to any entity that, after the date of enactment of this Act, intends to use such funds to partner with or otherwise transact business related to unmanned aircraft systems with the People’s Republic of China, the Russian Federation, the Islamic Republic of Iran, the Democratic People’s Republic of Korea, the Bolivarian Republic of Venezuela, or the Republic of Cuba. No such entity may receive awards for any project related to unmanned aircraft systems if the entity is:

(1) included on the Consolidated Screening List maintained by the Under Secretary of Commerce for International Trade;

(2) domiciled in the People’s Republic of China, the Russian Federation, the Islamic Republic of Iran, the Democratic People’s Republic of Korea, the Bolivarian Republic of Venezuela, or the Republic of Cuba;

(3) subject to influence or control by the government of the People’s Republic of China, the Russian Federation, the Islamic Republic of Iran, the Democratic People’s Republic of Korea, the Bolivarian Republic of Venezuela, or the Republic of Cuba; or

(4) owned by the People’s Republic of China, the Russian Federation, the Islamic Republic of Iran, the Democratic People’s Republic of Korea, the Bolivarian Republic of Venezuela, or the Republic of Cuba.

SEC. _____. None of the funds made available by the Act for the Federal Aviation Administration related to unmanned aircraft systems may be used by the Secretary of Transportation to operate an unmanned aircraft system or to enter into, extend, or renew a contract for the procurement of an unmanned aircraft system or a contract with an entity that operates an unmanned aircraft system in the performance of any Department of Transportation contract if the unmanned aircraft system is manufactured by an entity that is included on the Consolidated Screening List maintained by the Under Secretary of Commerce for International Trade, domiciled in the People’s Republic of China, the Russian Federation, the Islamic Republic of Iran, the Democratic People’s Republic of Korea, the Bolivarian Republic of Venezuela, or the Republic of Cuba, subject to influence or control by the government of any such country, or owned by any such country unless—

(1) the operation, procurement, or contracting action is for the purpose of—

(A) detection or counter-UAS system surrogate testing and training (including at Federal Aviation Administration-approved testing sites);

(B) intelligence, electronic warfare, cybersecurity, and information warfare operations, testing (including at Federal Aviation Administration-approved testing sites), analysis, and training; or

(C) research to inform unmanned aircraft system data-driven policy decisions, safety assessments, procedures, rulemaking, and

standards to safely integrate emerging entrants into the national airspace system (including at Federal Aviation Administration-approved testing sites); and

(2) the Secretary of Transportation, on a case-by-case basis, certifies in writing to the Secretary of Homeland Security, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives that such operation, procurement, or contracting action is required in the public interest.

VOTE ON AMENDMENT NO. 1349

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 1349) was agreed to.

The PRESIDING OFFICER. The Senator from North Carolina.

AMENDMENT NO. 1243 TO AMENDMENT NO. 1092

Mr. BUDD. Mr. President, I call up my amendment No. 1243, and I ask that it be reported by number.

The PRESIDING OFFICER. The clerk will report by number.

The senior assistant legislative clerk read as follows:

The Senator from North Carolina [Mr. BUDD] proposes an amendment numbered 1243 to amendment No. 1092.

The amendment is as follows:

(Purpose: To prohibit the use of funds to implement or enforce Executive Order 14019)

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

SEC. _____. PROHIBITION ON USE OF FUNDS TO IMPLEMENT EXECUTIVE ORDER 14019.

None of the funds appropriated or otherwise made available by this division may be used to implement or enforce Executive Order 14019 (86 Fed. Reg. 13623; relating to promoting access to voting).

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

SEC. _____. PROHIBITION ON USE OF FUNDS TO IMPLEMENT EXECUTIVE ORDER 14019.

None of the funds appropriated or otherwise made available by this division may be used to implement or enforce Executive Order 14019 (86 Fed. Reg. 13623; relating to promoting access to voting).

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

SEC. _____. PROHIBITION ON USE OF FUNDS TO IMPLEMENT EXECUTIVE ORDER 14019.

None of the funds appropriated or otherwise made available by this division may be used to implement or enforce Executive Order 14019 (86 Fed. Reg. 13623; relating to promoting access to voting).

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. BUDD. Mr. President, I ask unanimous consent for up to 3 minutes of debate equally divided prior to the scheduled rollcall vote.

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

Mr. BUDD. Mr. President, on his 47th day as President, Joe Biden signed an Executive order directing the head of every Federal Agency to submit a plan for their Agency to promote voter registration and voter participation.

The problem is that the order also mandates that all Federal Agencies partner with approved third-party or-

ganizations to provide these services on Federal Agency property across the Nation. Determining which third-party organizations will be approved, by whom, and based on what criteria is missing from the order.

In spite of congressional oversight attempts and Freedom of Information Act lawsuits, the Biden administration has refused to release copies of these Agency plans. The prospect of the Biden administration writing their own rules and using taxpayer money to partner with liberal “get out the vote” organizations is wildly inappropriate.

As a matter of principle, I don’t believe that the Federal Government should be using official taxpayer resources to advance partisan politics. Further, mandating that every Federal Agency engage in election engineering on the taxpayers’ dime raises serious ethical and legal concerns. Simply put, this Executive order is further weaponization of the Federal Government’s power to boost one side of the aisle over the another.

My amendment would defund this ethically and legally dubious scheme and restore faith in our elections.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, interesting in our democracy: two different political parties and two different attitudes toward registration and voting.

Many of us on this side of the aisle believe that expanding the number of voters makes the democracy stronger. So does President Biden. His Executive order was a message to the Agencies: Help where you can to help with voter registration and to make sure that voting is accessible to Americans across the board.

Example: They decided that VA health facilities would be registration sites for disabled veterans. Does that sound like some radical idea? It sounds to me like common sense.

That is the kind of thing we should support, and I urge my colleagues to vote against this amendment.

VOTE ON AMENDMENT NO. 1243

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. BUDD. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Virginia (Mr. WARNER) is necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Utah (Mr. LEE), the Senator from South Carolina (Mr. SCOTT), the Senator from North Carolina (Mr. TILLIS), and the Senator from Ohio (Mr. VANCE).

Further, if present and voting: the Senator from North Carolina (Mr.

TILLIS) would have voted “yea” and the Senator from Ohio (Mr. VANCE) would have voted “yea.”

The result was announced—yeas 45, nays 50, as follows:

[Rollcall Vote No. 279 Leg.]

YEAS—45

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

NAYS—50

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

NOT VOTING—5

Lee	Tillis	Warner
Scott (SC)	Vance	

The amendment (No. 1243) was rejected.

(Mr. MARKEY assumed the Chair.)

The ACTING PRESIDENT pro tempore. The Senator from Iowa.

Ms. ERNST. Mr. President, I ask unanimous consent to speak for up to 6 minutes on my amendment.

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

AMENDMENT NO. 1177 TO AMENDMENT NO. 1092

Ms. ERNST. Mr. President, I call up my amendment, No. 1177, and ask that it be reported by number.

The ACTING PRESIDENT pro tempore. The clerk will report the amendment by number.

The legislative clerk read as follows:

The Senator from Iowa [Ms. ERNST] proposes an amendment numbered 1177 to amendment No. 1092.

The amendment is as follows:

(Purpose: To require reporting regarding telework by employees of agencies funded under the Consolidated Appropriations Act, 2024)

At the appropriate place, insert the following:

SEC. 4. REPORTING REGARDING TELEWORK.

(a) DEFINITIONS.—In this section, the terms “employee”, “locality pay area”, “locality rate”, and “official worksite” have the meanings given those terms in section 531.602 of title 5, Code of Federal Regulations.

(b) REPORTING REQUIREMENT.—Not later than 30 days after the date of enactment of this Act, the Secretary for each agency funded under division A, division B, or division C of this Act shall submit to Congress a report containing—

(1) the number of employees of the agency or department who, based upon information technology login information, office swipes, and other measurable and observable factors, perform the majority of their working hours in a locality pay area with a lower locality rate than the locality rate for the locality pay area in which the official worksite of the employee is located, but continue to receive the higher locality rate associated with the official worksite of the employee;

(2) the cost savings that would be achieved by adjusting the locality rate for employees described in paragraph (1) to be the locality rate for the locality pay area in which the employees perform the majority of their working hours;

(3) the actions the agency or department has taken to audit and adjust the locality rates for employees with a telework agreement to account for the location from which the employees perform the majority of their working hours;

(4) as of the date of enactment of this Act, the actions the agency or department has taken to ensure oversight and quality control of remote work;

(5) any additional steps the agency or department is considering taking to improve oversight and quality control of remote work;

(6) the typical daily onsite attendance in the office buildings of the agency or department, as a proportion of the total workforce of the agency or department;

(7) any guidance, initiatives, or other incentives in effect to entice the employees of the agency or department to return to working from the office buildings of the agency or department;

(8) a description of the instances in which the agency or department has exercised the authority under paragraph (2) of section 531.605(d) of title 5, Code of Federal Regulations to waive the twice-in-a-pay-period standard under paragraph (1) of such section;

(9) the number of exceptions to the exercises of authority described in paragraph (8) that have been revoked during each month beginning on or after July 1, 2021;

(10) as of the date of enactment of this Act, the number of employees for whom an exception described in paragraph (8) remains in effect;

(11) a discussion of the monetary and environmental cost of maintaining underutilized space for the agency or department, in terms of energy use and carbon emissions;

(12) any steps the agency or department is taking or planning to take on or before the date that is 30 days after the date of enactment of this Act to reduce underutilization of building and office space; and

(13) the impacts of telework on the delivery of services and response times, including any increase or decrease in backlogs relative to the backlog as of March 1, 2020.

Ms. ERNST. Mr. President, thousands of calls to the VA from veterans seeking mental health care went unanswered over the past year, and that was just at the Atlanta VA.

One veteran in the midst of a mental health crisis called 10 times over a 3-month period and could not get the care she needed, much less anyone to answer her calls, so she ended up in an emergency room. Other veterans who made VA appointments say their therapists didn't even show up.

Meanwhile, a manager at the Atlanta VA responsible for overseeing the scheduling of veterans' appointments actually called in to a meeting from a bubble bath and posted this selfie on social media with the caption:

My office for the next hour.

Another VA staffer lamented:

It's almost as if this employee is making a mockery of all the veterans. I can sit here in my tub and relax, and you just have to wait.

And that is exactly what is happening.

While this bill provides nearly \$320 billion for the VA, what good is it to give the Agency all of this money if the VA isn't even answering the phone or showing up for appointments with our veterans?

This isn't just a problem at the VA either. Desperate travelers are waiting hours on the phone or in line, hoping to speak with someone at the State Department about passport delays that are causing vacation cancellations, and seniors calling the Social Security Administration are increasingly having their calls go unanswered altogether as the Agency shifts toward remote work.

Frustrated Americans are sick and tired of being put on hold while many Federal employees are phoning it in, "working" from home.

In his 2022 State of the Union Address, President Biden pledged that "the vast majority of Federal workers will once again work in person." A year and a half later, government employee unions are still fighting off efforts to bring their bureaucrats back.

Only one out of every three bureaucrats is fully back in the office, according to a recent Office of Personnel Management survey. Some said they never report to a physical office.

Seventy-five percent or more of the office space at the headquarters of most Federal Agencies is not even being used. Taxpayers are picking up the cost of maintaining these mostly empty buildings.

If Federal employees can't be found at their desks, exactly where are they? The work locations of over 281,000 employees were redacted by the Biden administration to a Freedom of Information request filed by the nonprofit group Open The Books.

Well, folks, time is up for Biden's game of bureaucrat hide-and-seek. I am offering an amendment making the Biden administration account for the location of every bureaucrat who works for the VA and every other Department funded by this bill. My amendment also requires taxpayers to be told the financial and environmental costs of maintaining empty offices and the impact remote work is having on veterans' care and the response times of other government services.

To all of my Senate colleagues, don't claim that you are taking care of veterans just because there is a spending increase for the VA in this bill. We need to work together to ensure that the VA is actually showing up and caring for our veterans.

My amendment will provide some much needed accountability to monitor if that is happening. Our veterans answered the call of duty. Now it is time for Federal employees to do the same.

Mr. CARDIN. Mr. President, I oppose the Ernst telework amendment because, in general, it imposes an overly burdensome reporting requirement for Agencies—without providing additional resources—both because of the very short time allotted—30 days—and the vague language used to outline the reporting requirements. The amendment includes multiple, undefined terms, some of which do not appear in title 5—for example, "majority of work hours". Further, there are no parameters outlining the period of time that should be represented in the data being reported. As such, Agencies would have significant challenges defining and providing what data is actually being sought.

This reporting requirement also does not take into consideration the state of the workforce as some Agencies have a substantial number of staff that do not report to a "building" on a routine basis because of the nature of their mission, such as some law enforcement officers and those who work in disaster relief. Again, per the above comment, many employees legitimately reporting to and performing routine work will not be captured, skewing data, and generating lower counts. Additionally, there are more technical challenges with the amendment language. For example, subsection (b)(8) does not describe an Agency's authority in 5 CFR 531.605(d)(2) correctly.

To summarize, the vague nature of this language and the lack of context and consideration for the varying nature of positions across the workforce would result in reports that do not accurately convey the nature of telework and remote work across the Federal Government.

I received comments from three of the largest Federal employee unions opposing the Ernst amendment. Here is what I heard from the International Federation of Professional and Technical Engineers, IFPTE:

This amendment seems duplicative in some parts and counter to what is required by the Telework Enhancement Act of 2010. It asks agencies to consider and report actions that, if taken, would require agencies to violate current legal standards and regulations. The Telework Enhancement Act of 2010 also requires agencies to design telework programs that "do not diminish employee performance or agency operations." By definition, agencies (and unions, when bargained) must create programs that work for employees and agencies. Not working on-site does not mean not working.

(b)(1) is highly burdensome for agencies—For employees with management-approved telework agreements, the Office of Personnel Management (OPM) defines the official worksite/official duty station (ODS) as the regular work location to which they are assigned as long as the employee is reporting "on a regular and recurring basis" to that worksite. Regular and recurring is defined as at least twice/pay period. So (b)(1) is highly burdensome for agencies and asks agencies to guess and estimate whether legal teleworking ("majority of their working hours") in the amendment is greater than two days per pay period.

Agencies are not legally able to carry out the cost savings in (b)(2) and nothing is

going to be achieved by the audit in (b)(8). For example, if an agency took action to change the ODS for an employee who teleworks six days per pay period, they would violate OPM regulations. If the agency reduced an employee's salary based on this, the agency would be liable for back pay and attorney's fees for each employee who reported at least twice per pay period per OPM regulations but had their ODS changed. Also, emergency conditions provide exceptions to all of this (the agency head can take any actions necessary for emergencies) so it is not relevant to look at periods under the COVID-19 health and national emergencies.

The premise of (b)(7) also doesn't make much sense. Employees are not in charge; management is, so employees do not need to be "enticed" to the office, they are directed to do so in concert with existing policies.

Reporting in (b)(7)–(10) may have a chilling effect on telework for employees with disabilities. Many federal employees with disabilities are legally entitled to telework as a reasonable accommodation. In many agencies, federal employees who have maximum telework have difficult personal situations and disabilities and it is often the only way they can remain in federal service.

Evaluation of environmental concerns related to underutilized space in (b)(11) needs to be balanced. Any evaluation of telework and space utilization needs to consider the increased environmental burden that commuting causes, especially in vehicles with a single occupant. Further, many federal office spaces and worksites have better space utilization due to telework. For example, IFPTE members working for Navy shipyards have more productive office workstations when on-site and when working from home, whereas prior to the current telework levels, these employees were in uncomfortably tight cubicles and constrained office spaces.

Here is what I heard from the National Treasury Employees Union, NTEU:

The Ernst amendment seeks to obstruct well developed federal telework programs by using a self-crafted standard contrary to law to determine an employee's post of duty. Telework and remote work initiatives have saved millions in taxpayer dollars and improved productivity in part by better recruitment and retention. Some employees now work remotely full time following a management determination that the nature of the work allows for this. These employees receive locality pay based on the location of their home office. As federal offices tend to be in high-cost central urban centers, these moves generally result in a savings to agencies.

Teleworking employees are different than remote workers and must, by law, report to their office at least two days per pay period. Travel to and from the office is considered the employee's normal commute with no travel expense obligations by the agency since their official post of duty is their office, not their home, and they do in fact report to that office. Even if they do live outside of the locality pay area it is not fraud, it is just a long commute. The reporting in the amendment also fails to contemplate that many employees work away from the office because of work-related travel that is required by their job (e.g., bank examiners, food and drug inspectors, fraud monitors, etc.).

And finally, this is what I heard from the American Federation of Government Employees, AFGE:

Please oppose the amendment offered by Sen. Joni Ernst. This amendment would require extensive new reporting from federal

agencies, on an unrealistic 30-day timetable, concerning the telework and remote work activities of hundreds of thousands of federal employees. As the nation's largest employer, the federal government is a vast and complex enterprise with millions of employees performing work at offices, remote work sites, telework centers, and in some cases from their homes. Their pay (including locality pay) is governed by longstanding rules promulgated by the Office of Personnel Management (OPM). Senator ERNST has publicly and without evidence accused federal agencies and employees of "fraud" in how locality pay is provided for teleworking employees.

AFGE supports telework and remote work programs where appropriate, though the majority of our members—who include healthcare workers, law enforcement officers, border patrol agents, and transportation security officers—never teleworked even during the height of the pandemic. We support programs to evaluate and measure the effectiveness of telework and remote work arrangements, and we believe such efforts will show that these workplace flexibilities are critical for maintaining a high-performing federal workforce that can compete with the private sector for the best talent.

The Ernst amendment duplicates almost verbatim a series of recent requests from Senator ERNST to dozens of agency inspectors general (OIG) to report on the same questions. These OIG requests were made less than three weeks ago. Moreover, the requests were premised in part on a single report of an alleged poor performer at the U.S. Patent & Trademark Office that occurred in 2014, nearly a decade ago. Furthermore, the amendment conflates and confuses remote work, where an employee is assigned full-time to a remote duty station that may be far from agency offices, with telework, where under existing OPM rules employees must report to an office twice per pay period. In either case, existing rules govern locality pay and there is no evidence of widespread misapplication of these rules.

It is for all of these reasons that I oppose the Ernst amendment.

Ms. ERNST. Mr. President, I know of no further debate on my amendment.

The ACTING PRESIDENT pro tempore. Is there further debate?

If not, the question occurs on agreeing to the amendment.

The amendment (No. 1177) was agreed to.

I yield floor.

The ACTING PRESIDENT pro tempore. The Senator from Massachusetts.

Ms. WARREN. Mr. President, I ask unanimous consent that my chief of staff, Jon Donenberg, be allowed to join me on the floor.

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

TRIBUTE TO JON DONENBERG

Ms. WARREN. Mr. President, I rise today to recognize an extraordinary public servant who is leaving my office for a new role.

Jon Donenberg has been one of my most trusted senior advisers since 2011, when I first ran for the U.S. Senate. After his stint advising me on policy during the 2012 campaign, I asked Jon to serve as my first legislative director in my Senate office. Jon was my LD for 6 years, then senior adviser and policy director for Warren for President, and,

for the last 4 years, he has served as my chief of staff.

After nearly a dozen years of working together, I have come to know Jon pretty well. So I can say with some authority that he is one of the best policy nerds and sharpest minds on economic policy in the business.

When I arrived in the Senate, I knew more than pretty much anybody else in the world about a very specific slice of commercial law. I also spent a lot of time thinking about how middle-class families were getting crushed by an economy that didn't work for them and thinking through how to fix it. And this was a good a start. But being a Senator means doing work on a much, much broader range of issues.

Jon was the person I turned to for counsel as I developed that broader agenda, drawing on his deep expertise with policy, his facility for digging into data, and his formidable technical training. Also, importantly, Jon has good values—the longstanding belief that government is here to serve not the richest and most powerful, not those who can hire armies of lobbyists and lawyers, but here to serve the people who are trying to build a future for themselves and their families.

Jon and I were a good match, and, when I say that, I am not saying that we always saw our next moves the same way. But he has a lightning-quick mind, a staggering command of both domestic and foreign policy topics, and instincts honed by years of working in Congress, and those qualities allowed him to see around corners I didn't even know existed. He is good with numbers, and he has never been afraid to change his mind based on what the data has shown him.

Our relationship has always been energetic. Jon hasn't been afraid to tangle with me when he thought I was getting something wrong. He would tell me I was making a mistake, and I would tell him he didn't know what he was talking about. We would size each other up, and I would start lobbing fastballs at him, just like I was back in the classroom, trying to figure out if a student had done reading and was on solid ground in their arguments.

Jon, of course, has always, always done the reading. He would grab those fastballs out of the air and zing them back at me with a spin, often highlighting an aspect to the issue I had failed to consider.

Sometimes, I would try a new angle and play the devil's advocate to see if he could defend his position, back and forth, until I had—often in the space of 10 or 15 minutes—pressure-tested an argument more thoroughly than seemed possible. Now, I am not saying Jon won all of those arguments, but I would give him a 50-50 lifetime record, which is pretty respectable in my book. And I would also say this: 100 percent of the time, my thinking about an issue got deeper and sharper as a result of running my views through the gauntlet of Jon's scrutiny.

Given all of these attributes, it should come as no surprise that Jon had a very specialized skill that is rarely employed among adults outside elected office: Jon was a wiz at debate prep. He has worked with me and several other Senators during our races, helping candidates prepare for preelection debates. He put all of us through our paces, forcing us to confront the frustration—and the opportunities—of butting heads with our opponents, and doing it in 1-minute chunks. For all of us who managed to survive those debates far better than we expected, we owe Jon our thanks.

When he came to work for me, Jon brought with him years of experience in Congress. Before joining my office, Jon served as chief counsel to Senator RICHARD BLUMENTHAL. Before then, he served as a health law advisor to Representative Henry Waxman on the House Oversight and Government Reform Committee and the House Energy and Commerce Committee.

I asked Henry Waxman for a few words about Jon, and he had this to say:

Jon started his congressional career as a precocious young staffer in my office working on the Affordable Care Act. He's leaving Senator WARREN's staff as a veteran chief of staff with many distinguished legislative accomplishments. What's been constant is the gratitude and respect he has earned from everyone who has been lucky enough to work with him along the way.

Jon's first experience working in Congress has a special resonance for me: Jon was a legal fellow for Senator Ted Kennedy, the senior Senator from Massachusetts who served for 47 years in the seat I now hold. I think Senator Kennedy would be pleased to know that the young man he first brought in for work in the Federal legislature ended up contributing so much to this work.

There is one more aspect of Jon's leadership that I want to make sure to highlight. He is a dedicated mentor who has trained scores of policy staffers in how to make this country work better for families who don't always have someone in government looking out for them. Year after year, I have observed as Jon invests in the staff on my team and throughout government—supporting them, teaching them, and challenging them, and always, always, always making them better at what they do.

Congress is a hard place to work in, in a lot of ways. Jon often tells me that trying to make change by working in the Senate can feel a lot like running face-first into a brick wall, over and over and over again. You have to keep standing up and sprinting back at the wall because, even though history suggests you are going to smack right into it, just like last time, the only way you will ever smash through the bricks is by taking one more run at it.

Jon is the kind of colleague who makes you want to take one more run at knocking down the wall that has never been knocked down before—the one who will help you dust yourself off and then sprint along beside him.

I have watched as these staffers who Jon has trained have transformed from eager, gifted beginners into seasoned strategists. Jon and I have stood proudly, side by side, as we have seen them leave our office and take their talents to go make change somewhere else. Jon's commitment to mentorship means that today we have more dedicated public servants doing topnotch work all around the country and doing it better because of their time learning from him.

Now Jon is the one who is taking his talents to another public service post. He is headed to the White House to serve as Deputy Director of the National Economic Council. I know Jon will bring with him to this position an abiding commitment to helping working families, as well as one of the best policy brains in the business.

One last note: Jon is a good man. He is honest. He is principled. He is generous. He is funny. He cares about people. He loves his family deeply, and he is always there for his friends. He tries to live his life every day according to deeply held moral values. I admire him.

So, Jon, I am grateful down to my toes for the years that we have worked together. I will miss having you by my side, but I know that the President, the Nation, and the world will be better off because of the challenges you will help tackle in this new role. Thank you for your work, both past and present and future. Thank you.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Maine.

Mr. KING. Mr. President, first, I would like to ask unanimous consent that my senior colleague and I from Maine may engage in a colloquy.

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

MAINE SHOOTING

Mr. KING. Mr. President, I have often asked, particularly around here, why Maine is so special, why I am so passionate about it, why Maine people are always so connected to our State, no matter where they may roam. And I always have the same answer: that Maine is a big small town, with very long streets. We know each other. We care about each other.

There is a fabric of our community that is a beloved community, and we go through storms, and we go through all of the vicissitudes of life together, supporting one another and caring about one another.

A week ago, there was a tear in the fabric of our community. A lone gunman visited two places, a bowling alley and a bar and grill, and killed 18 people—18 innocent, beautiful people—and injured another 13.

We are going to have a lot of time around here to talk about policy and what to do about this problem and what our policies can and should be. But, tonight, my colleague and I simply want to remember the people who lost their lives last Wednesday night in Lewiston, ME.

Lewiston is a microcosm of that Maine community. It is a community where people are close, where they know one another, where they grew up together. It is a diverse community. It was largely formed over 100 years ago by immigrants coming to this country by Canada. It is one of the most vital and vibrant communities in our State.

I now want to ask my colleague for her thoughts. And she and I are going to remember those that we lost.

The ACTING PRESIDENT pro tempore. The Senator from Maine.

Ms. COLLINS. Mr. President, let me first thank Senator KING for inviting me to join him in this colloquy this evening. Tonight, we honor and remember our fellow Mainers who lost their lives in a senseless tragedy, a senseless act of violence, as well as those who were wounded in this heinous attack. We also remember the family members and the loved ones who grieve for them.

We want to recognize the people of this proud community of Lewiston who have rallied together to support each other during these dark and difficult days: first responders; law enforcement; healthcare providers, especially at Central Maine Medical Center; businesses and community members who provided food for law enforcement; State and local officials; Federal agents. So many people deserve our thanks.

Those efforts and more will be acknowledged by the city of Lewiston tomorrow as it hosts an Act of Kindness and Gratitude Day. The city intends for this to be an annual occasion for the community to come together and celebrate the spirit of kindness and unity which characterizes our wonderful State.

As the phrase "Lewiston strong" echoes across our State and our country, the grit, resolve, and compassion of the people of Lewiston have rallied and inspired the Nation.

No words can diminish the pain, shock, and understandable anger felt by the families who lost loved ones. Nevertheless, it is my hope that they will find solace and strength in knowing that they are in the hearts of so many. As my colleague from Maine has just said, Maine, in many ways, is a small town, a place of caring communities where people know their neighbors.

One of my staffers in my Lewiston office knew 9 of the 18 people who lost their lives that horrible day.

Members of the close-knit deaf community had gathered at a local restaurant to play cornhole that night. Four members of that community lost their lives in the attack. One of the family members taught me the American sign language symbol for "I love you." It reminds me of this proverb:

Death leaves a heartache no one can heal; love leaves a memory that no one can steal.

In their memory, let us support one another through this difficult grieving period and hope for brighter days.

Senator KING and I will now read the names of those who lost their lives: Tricia Asselin. Tricia, age 53, was a part-time employee at Just-In-Time Recreation and was fatally shot while calling 9-1-1. She was a mother who worked three jobs, an accomplished athlete, and a terrific volunteer.

Peyton Brewer-Ross. Peyton, 40, was a new father and a pipefitter at Bath Iron Works. He enjoyed playing cornhole and often brought beanbags to family gatherings, according to his brother. He was described as the life of the party.

William Frank Brackett. William was 48. He was part of the gathering of deaf people who were playing cornhole. He was known for his ability to help place those who were deaf in the workplace. He had just celebrated his third wedding anniversary with his wife in August and leaves behind a 2½-year-old daughter.

Thomas Ryan Conrad. Thomas, 34, was manager of Just-In-Time Recreation and was an Army veteran who served tours in Iraq. He had just returned to the State of Maine to be closer to his daughter. And he was one of the brave individuals who attempted to stop the shooter.

Michael Deslauriers. Michael was fatally shot while trying to rush the gunman at Just-In-Time Recreation. His close friend Jason Walker was also killed in the bowling alley. The two men made sure that their wives and children were under cover before charging at the killer.

Maxx Hathaway. Maxx was 35 and a stay-at-home father. He and his wife were expecting their third child in a little more than a month. He was described as a “goofy, down to earth person” who always had an “uplifting attitude no matter what was going on.” He was working on completing his degree in business administration at the University of Southern Maine.

Bryan MacFarlane. Bryan, 41, had recently moved back to Maine to be closer to his mother. He was playing in the cornhole tournament for the deaf community at the restaurant and bar. He loved the outdoors and was one of the first deaf people in Vermont to earn his commercial driver’s license. He was often accompanied on the road by his beloved dog, M&M.

Keith Macneir. Keith Macneir was 64 and lived in Florida. He was visiting Maine to celebrate his 64th birthday with his son. He most recently worked as chief of maintenance at the Virgin Islands National Park.

Ronald Morin. Ronald, 55, was a dedicated husband and father, too, and was described by his family and friends as having an “infectious personality.” He was a sales merchandiser for Coca-Cola and was an avid cornhole player.

Now Senator KING will resume the reading of the rest of those who lost their lives.

Mr. KING. Senator COLLINS mentioned that one of the most poignant parts of this tragedy was there were

four members of the Maine deaf community who happened to be at this restaurant playing cornhole—recreation, having fun.

One of them was Joshua Seal. He was 36 years old, a member of the deaf community who regularly went to the bar and grill to play cornhole. During the pandemic, this gentleman served as the American Sign Language interpreter for the head of our CDC who had press conferences practically every day. He became one of the best-known people in Maine. He was a director of interpreting services. He coordinated summer camps for the deaf and hard of hearing, and he was the father to four children.

Arthur Strout, 42, was playing pool—imagine, playing pool at a bar and grill with his father. The father, blessedly, left before the shooting occurred. Arthur was the husband and father of five children, described as a “Christmas person” who started decorating for Christmas around Halloween.

Steve Vozzella, 45, was a letter carrier for the U.S. Postal Service and also an active member of the deaf community—a letter carrier, mailman. He was playing in the cornhole tournament for the deaf at the restaurant when the shooting happened. He was the father of two and was preparing to celebrate his 1-year anniversary with his wife next month.

Lucille Violette, 73, was a valued member of the business office at the Lewiston public schools. She was well-known in the community. She worked in the community for over 52 years. She was fatally shot alongside of her husband, Bob Violette, at the bowling alley.

Bob Violette was 76. He was a dedicated volunteer coach in a youth bowling league. He was shot and died along with his wife while out for a night of bowling.

Joseph Lawrence Walker, 57, was the manager of the bar and grill. His father is a city counselor in Auburn. He recounted that his son’s final moments were spent trying to save lives during the shooting.

Jason Adam Walker. Jason Walker, 51, was a father and husband who was shot at the bowling alley. His close friend Michael Deslauriers was also killed when the two of them charged the gunman to try to make others safe. As my colleague mentioned, he made sure their wives and children were safe before they took their last risk.

William Young—Bill Young—44. Auto mechanic, father to a 14-year-old son. He was described as the rock of the family. And perhaps most poignantly, that 14-year-old son, Aaron, was also killed. He was a high school honor student, proud of his grades, avid bowler. And he lost his life that night in this tragedy.

Senator COLLINS and I, on Sunday night, were at a vigil at the magnificent Catholic basilica in Lewiston. There were well over a thousand people in that church. When we went outside

afterwards, there were well over a thousand on a cold night in Maine, watching and listening to the service.

One of the most poignant moments in the service for me was when a member of the deaf community gave his address in sign language, and it was the reverse of what we usually see where a person is speaking and there is an interpreter. In this case, the person was giving the signs, and the interpreter was giving us the words that we could hear. One of the signs was this. It means love. There is another sign in American Sign Language for love. It is this.

This community will never recover from this tragedy, but it will heal. But it will only heal as long as we remember and understand that this was a tragedy. And we have to resolve ourselves to move forward to find a way to prevent tragedies like this and to always remember those people that gave their lives on a night of fun, on a night of recreation, on a night when there was no expectation of such an event occurring. We just have to remember all of these wonderful people, these beloved people that we lost that night.

We love Lewiston. We love the State of Maine. And we will always remember, not only the events of that night, but these beloved people of Maine.

I yield the floor.

The PRESIDING OFFICER (Mr. KELLY). The majority leader.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I move to proceed to executive session to consider Calendar No. 334.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of the following named officer for appointment as Chief of Naval Operations and appointment to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 8033: to be Admiral, Lisa M. Franchetti.

CLOTURE MOTION

Mr. SCHUMER. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The closure motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

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. 334, Adm. Lisa M. Franchetti for appointment as Chief of Naval Operations and appointment to the grade indicated while assigned to a position of importance and responsibility under title

10, U.S.C., sections 601 and 8033: to be Admiral.

Charles E. Schumer, Jack Reed, Alex Padilla, Tim Kaine, Margaret Wood Hassan, Jeanne Shaheen, Gary C. Peters, Richard J. Durbin, Christopher A. Coons, Catherine Cortez Masto, Richard Blumenthal, Mark R. Warner, Tammy Baldwin, Edward J. Markey, Mazie K. Hirono, Angus S. King, Jr., Sherrod Brown, Peter Welch.

LEGISLATIVE SESSION

Mr. SCHUMER. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I move to proceed to executive session to consider Calendar No. 329.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of the following named officer for appointment as Chief of Staff, United States Air Force, and appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 9033: to be General, David W. Alvin.

CLOTURE MOTION

Mr. SCHUMER. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

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. 329, Gen. David W. Alvin for appointment as Chief of Staff, United States Air Force, and appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 9033: to be General.

Charles E. Schumer, Jack Reed, Alex Padilla, Tim Kaine, Margaret Wood Hassan, Jeanne Shaheen, Gary C. Peters, Richard J. Durbin, Christopher A. Coons, Catherine Cortez Masto, Richard Blumenthal, Mark R. Warner, Tammy Baldwin, Edward J. Markey, Mazie K. Hirono, Angus S. King, Jr., Sherrod Brown, Peter Welch.

LEGISLATIVE SESSION

Mr. SCHUMER. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I move to proceed to executive session to consider Calendar No. 333.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of the following named officer for appointment as Assistant Commandant of the Marine Corps and appointment to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 8044: to be General, Lt. Gen. Christopher J. Mahoney.

CLOTURE MOTION

Mr. SCHUMER. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

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. 333, Lt. Gen. Christopher J. Mahoney for appointment as Assistant Commandant of the Marine Corps and appointment to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 8044: to be General.

Charles E. Schumer, Jack Reed, Alex Padilla, Tim Kaine, Margaret Wood Hassan, Jeanne Shaheen, Gary C. Peters, Richard J. Durbin, Christopher A. Coons, Catherine Cortez Masto, Richard Blumenthal, Mark R. Warner, Tammy Baldwin, Edward J. Markey, Mazie K. Hirono, Angus S. King, Jr., Sherrod Brown, Peter Welch.

Mr. SCHUMER. Finally, I ask unanimous consent that the mandatory quorum calls for the cloture motions filed today, October 31, be waived.

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

Mr. SCHUMER. Mr. President, a few moments ago, I filed cloture on the President's nominees for Chief of Naval Operations and Air Force Chief of Staff, the remaining vacancies on the Joint Chiefs of Staff. I have also filed cloture on the nomination of Lt. Gen. Christopher Mahoney to serve as Assistant Commandant for the U.S. Marine Corps. Lieutenant General Mahoney's confirmation is urgent in light of the frightening news that Gen. Eric Smith, confirmed last month to lead the U.S. Marine Corps, was hospitalized Sunday after a serious medical emergency. We pray for General Smith's recovery. Our thoughts are with him and his family.

This scary incident involving General Smith shows why it is supremely risky to play politics with military appointments, as Senator TUBERVILLE is doing. Emergencies happen, and when they do, the chain of command must be able to respond. But thanks to Senator TUBERVILLE, there is no current No. 2 at the Marine Corps to fill in.

The situation at the Marine Corps is precisely the kind of avoidable emergency that Senator TUBERVILLE has provoked through his blanket holds. Lieutenant General Mahoney should have been appointed a very long time ago, but he is one of the more than 300 nominees whom Senator TUBERVILLE is brazenly blocking to advance his extreme agenda.

Every day that Senator TUBERVILLE continues his blanket holds, our military preparedness is worse off, our military families suffer, and our military appointments risk being further ensnared in partisan politics, which is a point of no return we must never cross in the Senate.

Senator TUBERVILLE should drop his blanket holds at once, and in the meantime, the Senate will proceed to confirm these nominations that should have been swiftly approved long ago, as has been the custom in the Senate for decades.

LEGISLATIVE SESSION

MORNING BUSINESS

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

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

STRENGTHENING COASTAL COMMUNITIES ACT OF 2023

Mr. CARPER. Mr. President, on September 27, the Environment and Public Works Committee favorably reported the Strengthening Coastal Communities Act of 2023 as an original bill by voice vote. This bill, S. 2958, expands and improves the Coastal Barrier Resources Act, also known as CBRA. I would like to formally recognize the colleagues who have worked with me on this bill and share some thoughts on its significance.

According to Senate procedure, original bills are considered a product of the committee and do not have sponsors or cosponsors. With this in mind, I wish to acknowledge for the record that Senators GRAHAM, WHITEHOUSE, and TILLIS assisted in authorship of the Strengthening Coastal Communities Act of 2023. While these colleagues cannot be formally added as cosponsors, I want to thank them for their participation in developing this bipartisan legislation and note that I consider them to be cosponsors.

I would also like to ask our colleagues across the Senate for their support to pass this bill. CBRA was originally enacted in 1982, and it protects sensitive habitats along the Gulf of Mexico and Atlantic coasts by restricting Federal investment within designated areas. In doing so, CBRA has saved billions of Federal tax dollars since enactment, while simultaneously protecting hundreds of thousands of acres of coastal wetlands from development. In 2019, a scientific study found that CBRA had saved the Federal taxpayer roughly \$9.5 billion since its passage and is projected to save up to \$108 billion over the next 50 years. Coastal wetlands that CBRA protects continue to provide key habitat areas for commercial and recreational fisheries, migratory birds, and endangered species.

Importantly, the areas protected under CBRA play a crucial role in coastal resilience by mitigating hurricane and flood damage. A 2023 study found that CBRA provided \$112 million per year in prevented National Flood Insurance Program claims, a 7-percent savings in annual claims.

Given this broad range of benefits, CBRA has enjoyed strong bipartisan support since its inception. CBRA was developed and introduced on a bipartisan basis in 1982, with 58 cosponsors in the Senate led by sponsor Senator John H. Chafee of Rhode Island. CBRA's co-author, Representative Thomas B. Evans from my home State of Delaware, said CBRA was needed because "the U.S. taxpayer should not subsidize and bear the risk for private development on coastal barriers." President Ronald Reagan signed the bill into law, noting that CBRA adopts a "sensible approach" to conservation that also saves taxpayer dollars. CBRA has continued to enjoy strong bipartisan support in subsequent improvements, map enactments, and reauthorizations in 1988, 1990, 2000, 2006, and 2018.

The areas protected under CBRA are identified in official maps that must be authorized by Congress and have not been comprehensively revised since 1990. The 1990s-era maps were created using now-antiquated mapping techniques and, as a result, are imprecise, difficult to apply in practice, and contain errors that impact property owners and project proponents. Congress has recognized this problem and directed the U.S. Fish and Wildlife Service to undergo a yearslong modernization process to recommend updates to these maps. In 2013, the Fish and Wildlife Service received supplemental appropriations related to Hurricane Sandy in order to modernize CBRS maps, resulting in extensive recommended revisions along the Mid-Atlantic and New England coasts.

The Strengthening Coastal Communities Act of 2023 adopts the comprehensively revised maps prepared by the U.S. Fish and Wildlife Service for 187 updated CBRS maps and 11 new maps, including maps prepared through

the Hurricane Sandy Remapping Project and other technical correction reviews. Enacting this legislation will provide critical modernization of CBRA implementation, in addition to making other improvements and technical corrections in CBRA.

With that said, I would like to reiterate my gratitude to Senators GRAHAM, WHITEHOUSE, and TILLIS, who have been indispensable partners in the development of the Strengthening Coastal Communities Act of 2023. I look forward to continuing to work with them and our colleagues in the House to pass S. 2958 and enact it into law.

30TH ANNIVERSARY OF WYOMING WOMEN IN AGRICULTURE

Mr. BARRASSO. Mr. President, I rise today to celebrate the 30th anniversary of Wyoming Women in Agriculture. This organization is paving the way for a better future for all Wyoming ranchers.

Ranchers Sharon Cardwell and Peggy Price of Alcova, WY, had a casual conversation in 1993. They decided female ranchers needed an organization that addressed their distinct challenges. The role of women in ranching has changed over the years. Women are now actively involved in integral management decisions, either as independent ranchers or with their husbands. They are often isolated, far from the closest town or another ranch. Sharon and Peggy founded Wyoming Women in Ag to bring together a community of like-minded women. They were assisted by Jerry Buk and Debbie Johnson, both employees with the University of Wyoming extension office in Casper. The first board for Wyoming Women in Ag included Chairman Sharon Cardwell, Vice Chairman Peggy Price, Treasurer Anne Miles, and Secretary Ruth Stevenson.

In 1998, Wyoming Women in Ag was established with official nonprofit status. They are an "organization that provides information on current topics important to women in the agriculture industry." They soon branched out from Natrona County and included women from all over the Cowboy State. Wyoming Women in Ag will celebrate their 30th anniversary at their 2023 Symposium and Diversity Tour in Worland, WY. This annual event brings women together who share a similar way of life. The event location rotates between counties and includes a speaker who is a featured industry professional. Women have the opportunity to connect with their fellow ranchers to "ensure the next generation of women are educated, encouraged, and empowered to take on the challenges of meeting the world's growing food, fuel, and fiber needs." Attendees participate in a variety of workshops and have access to a trade show. The 2023 Women in Ag committee members are Abbi Rodgers, president; Julie Volker, vice president; Stacey Schmid, Secretary; Traci

Faxon, Secretary; Angela Grant, Treasurer; and committee members Madison Trimble, Heidi Foy, and Caitlin Youngquist.

It is an honor for me to rise in recognition of this significant milestone. Bobbi joins me in extending our congratulations to Wyoming Women in Agriculture for their 30th anniversary.

TRIBUTE TO PETER MULLER

Mr. PADILLA. Mr. President, I rise today on behalf of my former colleague, the late Senator Dianne Feinstein, to recognize the dedicated service of her long-time State director, Peter Muller.

Born and raised in San Jose, Peter is a native Californian and has spent his career serving the people of the Golden State. After graduating from St. Mary's College of California, he earned his master's in political science and government from American University.

Peter began his career in Congress in 1992 as a legislative assistant for then-Congressman Norman Mineta, where he served until Congressman Mineta's retirement in 1995. Peter then served as legislative director to Congresswoman Karen McCarthy before joining Congresswoman Ellen Tauscher's office in 1997, first as legislative director and then as her chief of staff. Peter spent 9 years with Congresswoman Tauscher and distinguished himself through his work with the House Committee on Transportation and Infrastructure and his efforts leading the development of the New Democrat Coalition.

After three stints away from Capitol Hill working for California-based Genentech, Intel, and Metrolink and a move to Los Angeles, Peter joined Senator Feinstein's staff in 2016 as her deputy State director. He subsequently served as her State director until her passing last month.

Every member of this Chamber knows the importance of their State director. They serve as our eyes and ears in our State, and they often act as our proxy when a cross-country flight isn't manageable. They lead our State teams with incredible patience and care, ensuring our offices run efficiently and our constituents receive the services they need. And they do it all for the good of the people we were elected to serve.

Peter was by Senator Feinstein's side for good times and bad, through a re-election campaign and Supreme Court confirmations, impeachments and insurrection, and the COVID-19 pandemic. I know that Senator Feinstein valued his counsel on many contentious issues, and he was often the first person she turned to when considering the impact of an issue on her beloved California. He was essential to her lasting efforts to protect California's public lands and water resources, improve our immigration system, secure funding for the West Los Angeles VA campus, and many of her other priorities throughout the State.

And so, on behalf of my former colleague and her team and as a fellow former State staffer for Senator Feinstein, I thank Peter for his years of dedicated service. The people of California are forever indebted to him for the impacts he has made, and we wish him all the best in his future endeavors.

ADDITIONAL STATEMENTS

TRIBUTE TO THE COUNTRY MUSIC HALL OF FAME 2023 INDUCTEES

• Mrs. BLACKBURN. Mr. President, it is my honor to officially congratulate the Country Music Hall of Fame 2023 inductees and welcome Bob McDill, Patty Loveless, and Tanya Tucker into country music's closest circle of friends.

In Nashville, we like to say that “it all begins with a song,” but this year’s songwriter inductee took those words to heart in a way that few ever have. Unlike so many songwriters, Bob McDill found his voice as a country music storyteller not through the slow burn of experience, but in a sudden burst of inspiration involving a late-night drive and a particularly raw George Jones lyric. Over the next three decades, he wrote more than 30 chart-topping hits and earned a reputation as one of the most prolific writers in Music City history.

This year’s modern era artist inductee took a traditional path to fame, but for Patty Loveless, the fruits of her long years laboring through fairs, festivals, and bars to reach the Country Music Hall of Fame are anything but ordinary. Between 1998 and 2003, Loveless released 31 Top 20 country hits and topped the charts five times. Her elite vocal performances made her a star, but it is the skill with which her songs navigated life’s most complicated questions that made her one of Music City’s most relatable and enduring artists.

Country music would look and sound a whole lot different without Tanya Tucker, this year’s veterans era artist inductee. By the time she turned 25, Tanya had enjoyed more success than many artists could ever hope to achieve. She created a sound so distinct and a performance style so irresistible that she maintained her hold on Music City through career setbacks that lesser artists could never hope to overcome. Between 1986 and 1997, Tanya sent 24 singles into the Top 10, and, in 1991, earned the honor of Country Music Association Female Vocalist of the Year. In 2019 she came back with a vengeance and a new album that earned her two Grammys, the first of her career.

On behalf of the entire Tennessee delegation, I would like to express my gratitude to Bob, Patty, and Tanya for their passion, their artistry, and their wholehearted commitment to their craft.●

TRIBUTE TO THE NUTTINGS

• Ms. CAPITO. Mr. President, West Virginia lost one of its truly beloved sons when G. Ogden Nutting of Wheeling passed away on August 25 at the age of 87. To call him a community leader doesn’t come close to capturing the leadership, dedication, and inspiration he provided the city of Wheeling, the State of West Virginia, and the entire Tri-State region of West Virginia, Ohio, and Pennsylvania. I rise today to pay tribute not only to his legacy, but also to the enduring one of his beloved wife, Betty Woods “Snookie” Nutting, who survives him. The two of them, both Wheeling Hall of Fame inductees and also Distinguished West Virginians, exhibited the best of West Virginia for seven decades.

G. Ogden Nutting served in many capacities at his family’s business, Ogden Newspapers, Inc., for more than 60 years. His contributions, both professional and philanthropic, benefited numerous organizations in Wheeling to include the Oglebay Foundation, the Wheeling Park Commission, the Salvation Army, United Way, the Elks and Rotary clubs, Bethany College, West Liberty University, and West Virginia University. Ogden was recognized by national organizations for his excellence in and passion for the newspaper industry and for setting standards for future generations of journalists.

His partner throughout has been his wife Betty Woods “Snookie” Nutting. Her commitment to historic preservation literally changed the face of Wheeling, helping to save and rehabilitate dozens of Victorian-era buildings in West Virginia’s first capital city. She recognized excellence and beauty in the city’s historical architecture while epitomizing it in the way she lives her life and serves her community.

I am proud to have called Ogden Nutting a friend to me and my family and am humbled to extend my deep gratitude to Snookie for her loyal and selfless dedication to making our State a better place. To their family and friends, I share in your grief in Ogden’s passing, celebrate his life, and am enriched by the example these two fine West Virginians have set for all of us. Wheeling and the entire State of West Virginia are a better place because of these two fine people.●

TRIBUTE TO ROBERT SCULLEY

• Mrs. SHAHEEN. Mr. President, I rise today to salute Robert “Bob” Sculley for his many years of dedicated service at the New Hampshire Motor Transport Association, NHMTA. Bob is retiring from his longtime role as president and CEO of an association that represents multiple occupations and hundreds of members across the Granite State, and he leaves a legacy worthy of our praise and our gratitude.

Bob draws on decades of experience and in-depth knowledge in his advocacy for the motor transport industry.

After earning a bachelor of science from the University of Rhode Island in 1977, Bob started a career with Federal Express that brought him around New England to posts in Rhode Island, Vermont, Massachusetts, Maine, and New Hampshire. His quick rise in the ranks—from his first role as courier to his last as station manager—is a reflection of his work ethic, his sound judgment, and his eagerness to learn the nuts and bolts of an industry that is vital to our American way of life.

When he was hired as the president and CEO of the New Hampshire Motor Transport Association in 1989, Bob assumed leadership of an organization with 110 members and 2 employees. He was responsible for growing the trade association and enriching the programs and services that it provides to its members. In addition to increasing membership among New Hampshire truck owners and operators, Bob also entered into agreements to represent the interests of the Energy Marketers Association of New Hampshire and the Vermont Truck and Bus Association under the NHMTA umbrella. Thirteen employees now provide advocacy and services within an association that boasts a combined membership of approximately 700 members. Each employee and each member of NHMTA knows Bob Sculley as a knowledgeable resource, a skilled advocate, and a good and generous man.

Throughout his tenure as president and CEO, Bob established programs that simplified operations and offered a variety of benefits to members. He kept truck owners and operators aware of government regulations, and he created a drug and alcohol testing consortium and clearinghouse compliance program to ensure drivers meet Federal and State requirements. He moved NHMTA to a new 10,000-square-foot facility in Concord, NH—named the Robert J. Sculley Building in his honor—that offers ample workspace for staff and in-house training opportunities for members. He launched a self-insured workers compensation fund that comprises nearly 100 small businesses, improves the safety of their operations, and ensures prompt care for employees who need it. The program is administered at NHMTA’s Concord facility and has returned more than \$19 million in dividends to members. He started a voluntary dental program that pools purchasing power to allow small businesses to access volume discounts not otherwise available to them. Bob’s achievements over the years have reinforced an industry that plays a pivotal role in our regional and national economy.

I have known Bob for decades. As State senator, Governor of New Hampshire, and now U.S. Senator, I have crossed paths with him at many meetings and events around the State. I always welcome his perspective and advice on ways we can strengthen the motor transport and energy industries.

His wisdom was essential to these industries as they navigated the challenges of a global pandemic and felt the effects of a strained supply chain. We relied on this essential workforce just as these indispensable truck owners, operators, and energy providers relied on Bob for his advocacy and guidance through tough times.

On behalf of the people of New Hampshire, I ask my colleagues and all Americans to join me in thanking Robert Sculley for his years of service and advocacy. We wish him and his beloved family—wife Theresa as well as their many children and grandchildren—all the best in this new chapter of their lives.●

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 3168. A bill making emergency supplemental appropriations for assistance for the situation in Israel for the fiscal year ending September 30, 2024, and for other purposes.

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-2642. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Medicare Program; CY 2024 Part A Premiums for the Uninsured Aged and for Certain Disabled Individuals Who Have Exhausted Other Entitlement” (RIN0938-AV12) received in the Office of the President of the Senate on October 18, 2023; to the Committee on Finance.

EC-2643. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Medicare Program; Medicare Part B Monthly Actuarial Rates, Premium Rates, and Annual Deductible Beginning January 1, 2024” (RIN0938-AV13) received in the Office of the President of the Senate on October 18, 2023; to the Committee on Finance.

EC-2644. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Medicare Program; CY 2024 Part A Inpatient Hospital Deductible and Hospital and Extended Care Services Coinsurance Amounts” (RIN0938-AV11) received in the Office of the President of the Senate on October 18, 2023; to the Committee on Finance.

EC-2645. A communication from the Regulations Writer, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled “Extension of the Flexibility in Evaluating ‘Close Proximity of Time’ to Evaluate Changes in Healthcare Following the COVID-19 Public Health Emergency” (RIN0960-AI85) received in the Office of the President of the Senate on October 19, 2023; to the Committee on Finance.

EC-2646. A communication from the Section Chief of the Publications and Regulations Branch, Internal Revenue Service, De-

partment of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Treasury Decision: Requirements for Type I and Type III Supporting Organizations” ((RIN1545-BJ53) (TD9981)) received in the Office of the President of the Senate on October 18, 2023; to the Committee on Finance.

EC-2647. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license amendment for the export of defense articles, including technical data, and defense services to Australia in the amount of \$100,000,000 or more (Transmittal No. DDTC 23-053); to the Committee on Foreign Relations.

EC-2648. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 25-255, “Floodplain Review Authority Temporary Amendment Act of 2023”; to the Committee on Homeland Security and Governmental Affairs.

EC-2649. A communication from the Assistant Secretary for Legislative Affairs, Department of Homeland Security, transmitting a legislative proposal entitled “To authorize the Joint Task Forces of the Department of Homeland Security, and for other purposes”; to the Committee on Homeland Security and Governmental Affairs.

EC-2650. A communication from the Executive Director, Interstate Commission on the Potomac River Basin, transmitting, pursuant to law, the Commission’s Eighty-Second Financial Statement for the period of October 1, 2021 through September 30, 2022; to the Committee on Homeland Security and Governmental Affairs.

EC-2651. A communication from the Director, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled “Federal Acquisition Regulation; Federal Acquisition Circular 2023-06, Small Entity Compliance Guide” (FAC 2023-06) received in the Office of the President of the Senate on October 18, 2023; to the Committee on Homeland Security and Governmental Affairs.

EC-2652. A communication from the Assistant Secretary for Legislative Affairs, Department of Homeland Security, transmitting a legislative proposal entitled “To preserve spousal naturalization eligibility”; to the Committee on the Judiciary.

EC-2653. A communication from the Wildlife Biologist of Migratory Bird Management, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled “Migratory Bird Hunting; Migratory Game Bird Hunting Regulations on Certain Federal Indian Reservations and Ceded Lands” (RIN1018-BF64) received in the Office of the President of the Senate on October 16, 2023; to the Committee on Indian Affairs.

EC-2654. A communication from the Chief for Regulatory Development, Federal Motor Carrier Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Clarification to the Applicability of Emergency Exemptions” (RIN2126-AC53) received during in the Office of the President of the Senate on October 19, 2023; to the Committee on Commerce, Science, and Transportation.

EC-2655. A communication from the Management Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Inclusion of Additional Automatic Dependent Surveillance-Broadcast (ADS-B) Out Technical Standard Orders; Incorporation by Reference” ((RIN2120-AL70) (Docket No. FAA-2023-1836)) received in the Office of the President of the Senate

on October 26, 2023; to the Committee on Commerce, Science, and Transportation.

EC-2656. A communication from the Management Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Establishment of Class E Airspace; Warrenton, VA” ((RIN2120-AA66) (Docket No. FAA-2023-1692)) received in the Office of the President of the Senate on October 26, 2023; to the Committee on Commerce, Science, and Transportation.

EC-2657. A communication from the Management Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Establishment of Class E Airspace; Uvalde, TX” ((RIN2120-AA66) (Docket No. FAA-2023-1747)) received in the Office of the President of the Senate on October 26, 2023; to the Committee on Commerce, Science, and Transportation.

EC-2658. A communication from the Management Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment of Class D and Class E Airspace; Philadelphia, PA” ((RIN2120-AA66) (Docket No. FAA-2023-1800)) received in the Office of the President of the Senate on October 26, 2023; to the Committee on Commerce, Science, and Transportation.

EC-2659. A communication from the Management Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment of VOR Federal Airway V-36 and Establishment of RNAV Route T-675; Northcentral United States” ((RIN2120-AA66) (Docket No. FAA-2023-1692)) received in the Office of the President of the Senate on October 26, 2023; to the Committee on Commerce, Science, and Transportation.

EC-2660. A communication from the Management Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments; Amendment No. 4082” ((RIN2120-AA65) (Docket No. 31511)) received in the Office of the President of the Senate on October 26, 2023; to the Committee on Commerce, Science, and Transportation.

EC-2661. A communication from the Management Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments; Amendment No. 4081” ((RIN2120-AA65) (Docket No. 31510)) received in the Office of the President of the Senate on October 26, 2023; to the Committee on Commerce, Science, and Transportation.

EC-2662. A communication from the Management Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments; Amendment No. 4081” ((RIN2120-AA65) (Docket No. 31510)) received in the Office of the President of the Senate on October 26, 2023; to the Committee on Commerce, Science, and Transportation.

EC-2663. A communication from the Management Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; MHI RJ Aviation ULC (Type Certificate Previously Held by Bombardier, Inc.) Airplanes; Amendment 39-22558” ((RIN2120-AA64) (Docket No. FAA-2023-1040)) received in the Office of the President of the Senate on October 26, 2023; to the Committee on Commerce, Science, and Transportation.

EC-2663. A communication from the Management Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; MHI RJ Aviation ULC (Type Certificate Previously Held by Bombardier, Inc.) Airplanes; Amendment 39-22568” ((RIN2120-AA64) (Docket No. FAA-2023-1992)) received in the

law, the report of a rule entitled “Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Wharton, Texas)” (MB Docket No. 22-430) received in the Office of the President of the Senate on October 26, 2023; to the Committee on Commerce, Science, and Transportation.

EC-2689. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled “Video Description: Implementation of the Twenty-First Century Communications and Video Accessibility Act of 2010” ((FCC 23-82) (MB Docket No. 11-43)) received in the Office of the President of the Senate on October 26, 2023; to the Committee on Commerce, Science, and Transportation.

PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM-81. A resolution adopted by the Township Council of the Township of Mahwah, New Jersey, recognizing June 2, 2023 as National Gun Violence Awareness Day; to the Committee on the Judiciary.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. PADILLA:

S. 3169. A bill to amend the Public Works and Economic Development Act of 1965 to establish university centers to encourage certain economic development, and for other purposes; to the Committee on Environment and Public Works.

By Mr. CASSIDY (for himself, Mr. DAINES, Mr. RISCH, Ms. LUMMIS, Mr. CRAPO, and Mr. MARSHALL):

S. 3170. A bill to prescribe judicial review requirements for certain projects, and for other purposes; to the Committee on Environment and Public Works.

By Mr. BOOKER:

S. 3171. A bill to amend the Public Health Service Act to promote healthy eating and physical activity among children; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CRAMER:

S. 3172. A bill to amend the Internal Revenue Code of 1986 to include certain over-the-counter dietary supplement products and foods for special dietary uses as qualified medical expenses; to the Committee on Finance.

By Mr. HAWLEY:

S. 3173. A bill to amend the Federal Election Campaign Act of 1971 to prohibit contributions and donations by publicly traded corporations; to the Committee on Rules and Administration.

By Mr. RICKETTS (for himself and Mr. SCOTT of South Carolina):

S. 3174. A bill to prohibit aid that will benefit Hamas, and for other purposes; to the Committee on Foreign Relations.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

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

S. Res. 442. A resolution designating October 2023 as “National Country Music Month”; considered and agreed to.

By Mr. BROWN (for himself, Ms. COLINS, Mr. FETTERMAN, Mr. KING, Mr. BOOKER, Ms. SMITH, and Mr. HEINRICH):

S. Res. 443. A resolution designating October 2023 as “National Farm to School Month”; considered and agreed to.

By Mr. REED:

S. Res. 444. A resolution providing for the en bloc consideration of military nominations; to the Committee on Rules and Administration.

ADDITIONAL COSPONSORS

S. 597

At the request of Mr. BROWN, the names of the Senator from Washington (Ms. CANTWELL) and the Senator from Hawaii (Mr. SCHATZ) were added as cosponsors of S. 597, a bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

S. 805

At the request of Mr. BROWN, the name of the Senator from Pennsylvania (Mr. CASEY) 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. 991

At the request of Mr. JOHNSON, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 991, a bill to amend the Federal Food, Drug, and Cosmetic Act to define the term natural cheese.

S. 1095

At the request of Mr. RISCH, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of S. 995, a bill to promote democracy in Venezuela, and for other purposes.

S. 1088

At the request of Mr. HOEVEN, the name of the Senator from New Mexico (Mr. LUJÁN) was added as a cosponsor of S. 1088, a bill to authorize the relinquishment and in lieu selection of land and minerals in the State of North Dakota, to restore land and minerals to Indian Tribes within the State of North Dakota, and for other purposes.

S. 1207

At the request of Mr. GRAHAM, the name of the Senator from Indiana (Mr. BRAUN) was added as a cosponsor of S. 1207, a bill to establish a National Commission on Online Child Sexual Exploitation Prevention, and for other purposes.

S. 1573

At the request of Mr. BENNET, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 1573, a bill to reauthorize the Prematurity Research Expansion and Education for Mothers who deliver Infants Early Act.

S. 1637

At the request of Mr. RUBIO, the name of the Senator from West Vir-

ginia (Mrs. CAPITO) was added as a cosponsor of S. 1637, a bill to provide for nonpreemption of measures by State and local governments to divest from entities that engage in certain boycott, divestment, or sanctions activities targeting Israel or persons doing business in Israel or Israeli-controlled territories, and for other purposes.

S. 1669

At the request of Mr. MARKEY, the names of the Senator from Arizona (Ms. SINEMA) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. 1669, a bill to require the Secretary of Transportation to issue a rule requiring access to AM broadcast stations in motor vehicles, and for other purposes.

S. 1706

At the request of Mr. DAINES, the name of the Senator from Mississippi (Mrs. HYDE-SMITH) was added as a cosponsor of S. 1706, a bill to amend the Internal Revenue Code of 1986 to make permanent the deduction for qualified business income.

S. 1829

At the request of Mr. RUBIO, the name of the Senator from Louisiana (Mr. KENNEDY) was added as a cosponsor 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. 1950

At the request of Mr. BOOKER, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 1950, a bill to extend the temporary order for fentanyl-related substances.

S. 2160

At the request of Mr. RISCH, the names of the Senator from Idaho (Mr. CRAPO) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 2160, a bill to amend the Omnibus Public Land Management Act of 2009 to authorize certain extraordinary operation and maintenance work for urban canals of concern.

S. 2323

At the request of Mr. BARRASSO, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. 2323, a bill to amend title XVIII of the Social Security Act to provide for expanded coverage of services furnished by genetic counselors under part B of the Medicare program, and for other purposes.

S. 2337

At the request of Mr. DURBIN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 2337, a bill to require the Administrator of the Environmental Protection Agency to promulgate certain limitations with respect to pre-production plastic pellet pollution, and for other purposes.

S. 2365

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

(Mrs. GILLIBRAND) was added as a cosponsor of S. 2365, a bill to amend the Food and Nutrition Act of 2008 to authorize funds for certain employment and training activities, and for other purposes.

S. 2372

At the request of Mr. GRASSLEY, the name of the Senator from North Carolina (Mr. BUDD) 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. 2608

At the request of Mr. REED, the name of the Senator from Vermont (Mr. WELCH) was added as a cosponsor of S. 2608, a bill to provide for the long-term improvement of public school facilities, and for other purposes.

S. 2636

At the request of Mr. BENNET, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 2636, a bill to amend the Watershed Protection and Flood Prevention Act to improve that Act, and for other purposes.

S. 2701

At the request of Mr. PADILLA, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 2701, a bill to address the homelessness and housing crises, to move toward the goal of providing for a home for all Americans, and for other purposes.

S. 2731

At the request of Mr. BROWN, the names of the Senator from New Mexico (Mr. LUJÁN) and the Senator from Virginia (Mr. WARNER) were added as cosponsors of S. 2731, a bill to amend the Internal Revenue Code of 1986 to increase the deduction for certain expenses of elementary and secondary school teachers.

S. 2825

At the request of Mr. CORNYN, the name of the Senator from Georgia (Mr. OSBOFF) was added as a cosponsor 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. 2829

At the request of Ms. STABENOW, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 2829, a bill to amend the Internal Revenue Code of 1986 to provide for an exclusion for assistance provided to participants in certain veterinary student loan repayment or forgiveness programs.

S. 2861

At the request of Mrs. GILLIBRAND, the name of the Senator from Indiana (Mr. BRAUN) was added as a cosponsor of S. 2861, a bill to award a Congressional Gold Medal to Billie Jean King, an American icon, in recognition of a

remarkable life devoted to championing equal rights for all, in sports and in society.

S. 2884

At the request of Mr. BARRASSO, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 2884, a bill to delay the implementation of a rule relating to the importation of sheep and goats and products derived from sheep and goats, and for other purposes.

S. 2888

At the request of Mr. KING, the name of the Senator from Iowa (Ms. ERNST) was added as a cosponsor of S. 2888, a bill to amend title 10, United States Code, to authorize representatives of veterans service organizations to participate in presentations to promote certain benefits available to veterans during preseparation counseling under the Transition Assistance Program of the Department of Defense, and for other purposes.

S. 2897

At the request of Mr. BENNET, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 2897, a bill to amend the Federal Food, Drug, and Cosmetic Act with respect to molecularly targeted pediatric cancer investigations, and for other purposes.

S. 3020

At the request of Ms. KLOBUCHAR, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 3020, a bill to amend the Internal Revenue Code of 1986 to equalize the charitable mileage rate with the business travel rate.

S. 3048

At the request of Mr. VANCE, the name of the Senator from Indiana (Mr. BRAUN) was added as a cosponsor of S. 3048, a bill to amend the Family and Medical Leave Act of 1993 to prohibit an employer from recovering any health care premium paid by the employer for an employee if the employee fails to return to work due to the birth of a child, and for other purposes.

S. 3064

At the request of Mrs. BLACKBURN, the names of the Senator from Indiana (Mr. BRAUN) and the Senator from Montana (Mr. DAINES) were added as cosponsors 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. 3168

At the request of Mr. MARSHALL, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 3168, a bill making emergency supplemental appropriations for assistance for the situation in Israel for the fiscal year ending September 30, 2024, and for other purposes.

S.J. RES. 47

At the request of Mrs. BLACKBURN, the name of the Senator from Alabama

(Mr. TUBERVILLE) was added as a cosponsor of S.J. Res. 47, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Justice relating to “Office of the Attorney General; Home Confinement Under the Coronavirus Aid, Relief, and Economic Security (CARES) Act”.

S. RES. 333

At the request of Mr. DURBIN, the name of the Senator from Pennsylvania (Mr. FETTERMAN) was added as a cosponsor 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. 408

At the request of Ms. ROSEN, the names of the Senator from Florida (Mr. SCOTT), the Senator from Pennsylvania (Mr. FETTERMAN), the Senator from Ohio (Mr. VANCE), the Senator from Colorado (Mr. HICKENLOOPER) and the Senator from New Mexico (Mr. HEINRICH) were added as cosponsors of S. Res. 408, a resolution condemning Hamas for its premeditated, coordinated, and brutal terrorist attacks on Israel and demanding that Hamas immediately release all hostages and return them to safety, and for other purposes.

S. RES. 434

At the request of Mr. RISCH, the name of the Senator from Iowa (Ms. ERNST) was added as a cosponsor of S. Res. 434, a resolution commemorating the 200th anniversary of the Monroe Doctrine.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. PADILLA:

S. 3169. A bill to amend the Public Works and Economic Development Act of 1965 to establish university centers to encourage certain economic development, and for other purposes; to the Committee on Environment and Public Works.

Mr. PADILLA. Madam President, I rise to speak in support of the University Centers for Growth, Development, and Prosperity Act, which I reintroduced today.

The U.S. Economic Development Administration created the University Center Program to allow institutions of higher education and consortia to establish and maintain university centers, with the understanding that our higher education institutions play a critical role in our Nation’s economic growth.

University centers are Federal partnerships that leverage the assets of higher learning institutions to strengthen regional economic growth by promoting innovation, entrepreneurship, and job creation. They encourage economic development in economically distressed regions, which

helps spur job growth, high-skilled regional talent pools, and business expansion.

Despite EDA's important work, many communities across the country have yet to benefit from the Agency's programs, including smaller communities, communities of color, and rural areas experiencing higher rates of poverty.

Despite being one of EDA's most successful economic development initiatives, the current University Center Program is not officially authorized by Congress and is currently administered under EDA's Technical Assistance Program. That is why I am proud to reintroduce legislation that would codify and expand the University Center Program, leverage more resources for minority-serving institutions, and support a greater diversity of innovation and entrepreneurship in their communities.

California has several thriving institutions, including Cal State Chico, Cal State Bakersfield, and University of Southern California, that will be able to scale their impact as a result of these new resources. By prioritizing the establishment of new university centers at colleges and universities that serve significant populations of underserved students, we can further strengthen regional economies and help close the racial wealth gap.

Specifically, the bill establishes an EDA University Center Program to help universities collaborate with economic development districts, trade adjustment assistance centers, and other economic development technical assistance and service providers to develop and implement comprehensive economic development strategies and other economic development planning at the local, regional, and State levels, with a focus on innovation, entrepreneurship, and workforce development.

It also prioritizes the participation of minority-serving institutions as part of the University Center Program. Minority-serving institutions provide incredible opportunities for so many low-income and first-generation students. I am proud that my State of California is home to 174 Hispanic-serving institutions and 51 emerging Hispanic-serving institutions, the highest amount in the country.

As a Senator representing one of the most diverse States in the country, I am eager to work with my colleagues to ensure that we improve the equity of EDA programming and help increase the participation of minority-serving institutions.

As the Senate Committee on Environment and Public Works continues to draft an EDA reauthorization bill, I urge them to include this legislation to expand and improve the University Center Program.

I want to thank Congressman PETE AGUILAR for introducing this bill with me, and I hope my colleagues will join me in support of this program that benefits almost every State.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 442—DESIGNATING OCTOBER 2023 AS “NATIONAL COUNTRY MUSIC MONTH”

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

S. RES. 442

Whereas country music, a uniquely American sound, echoes from the backroads of the United States to the streets of Nashville, Tennessee;

Whereas Bristol, straddling the Tennessee and Virginia state line, is recognized as the “birthplace of country music”;

Whereas the Grand Ole Opry, the most famous stage in country music, has been called the “home of American music”;

Whereas the Ryman Auditorium, the original home of the Grand Ole Opry, has been described as “the Mother Church of country music”;

Whereas country music reminds every American of the importance of faith, family, freedom, hope, opportunity, and patriotism;

Whereas country music has influenced numerous other genres of music;

Whereas country music is an incredibly diverse genre, appealing to Americans from all walks of life;

Whereas country music has millions of fans all across the United States;

Whereas the country music industry contributes billions of dollars in revenue each year to the economy of the United States;

Whereas the Country Music Association first celebrated “National Country Music Month” in 1964; and

Whereas President Nixon issued a presidential proclamation in 1970 to acknowledge October as “National Country Music Month”; Now, therefore, be it

Resolved, That the Senate—

(1) designates October 2023 as “National Country Music Month”;

(2) honors the contributions of country music to the story and history of the United States; and

(3) encourages the American people to observe “National Country Music Month” with appropriate ceremonies and activities.

SENATE RESOLUTION 443—DESIGNATING OCTOBER 2023 AS “NATIONAL FARM TO SCHOOL MONTH”

Mr. BROWN (for himself, Ms. COLLINS, Mr. FETTERMAN, Mr. KING, Mr. BOOKER, Ms. SMITH, and Mr. HEINRICH) submitted the following resolution; which was considered and agreed to:

S. RES. 443

Whereas farm to school programs of varying scale operate in nearly 67,369 schools across the United States;

Whereas farm to school programs connect schools and local farms in order to—

(1) serve nutritious meals in school cafeterias; and

(2) support local farmers, ranchers, and fishermen;

Whereas farm to school programs include experiential education components that can lead to permanent improvements in the diets of children, both in school and at home;

Whereas farm to school programs facilitate the purchase of local food for school meals;

Whereas farm to school programs can benefit small and mid-sized agricultural pro-

ducers by providing access to consistent markets;

Whereas farm to school programs can be particularly important for beginning or socially disadvantaged farmers, as schools provide a consistent and secure customer base;

Whereas farm to school programs can benefit local economies;

Whereas, for every \$1 spent on local foods in schools, up to an additional \$2 circulates in the local economy;

Whereas data from the Centers for Disease Control and Prevention shows that only 7 percent of children consume the recommended amount of vegetables;

Whereas communities with high levels of poverty have less access to fresh fruits and vegetables than higher income communities;

Whereas the increased consumption of fresh fruits and vegetables is 1 of 6 major strategies to prevent and control obesity, according to the Centers for Disease Control and Prevention;

Whereas studies have demonstrated that children in schools with an active farm to school program increase their average consumption of fresh fruits and vegetables by 1 or more servings per day;

Whereas farm to school programs—

(1) are popular among children;

(2) can increase interest in school meal programs; and

(3) can decrease food waste; and

Whereas October 2023 would be an appropriate month to designate as “National Farm to School Month”: Now, therefore, be it

Resolved, That the Senate—

(1) designates October 2023 as “National Farm to School Month”;

(2) recognizes support for policy improvements to farm to school programs in legislation reauthorizing child nutrition programs;

(3) encourages schools, early care and education organizations, and local educational agencies to use local farm products in meals; and

(4) encourages schools, early care and education organizations, farmers and farm groups, local businesses, nonprofit institutions, churches, cities, State governments, and other local groups to raise awareness of farm to school efforts in their communities.

SENATE RESOLUTION 444—PROVIDING FOR THE EN BLOC CONSIDERATION OF MILITARY NOMINATIONS

Mr. REED submitted the following resolution; which was referred to the Committee on Rules and Administration:

S. RES. 444

Resolved,

SECTION 1. EN BLOC CONSIDERATION OF MILITARY NOMINATIONS.

(a) DEFINITION.—In this section, the term “military nomination” means a nomination to a position in, or promotion of an individual serving in a position in, an Armed Force.

(b) MOTION TO PROCEED.—

(1) IN GENERAL.—

(A) AUTHORIZATION.—Except as provided in subparagraph (B), during the 118th Congress, it shall be in order for the Majority Leader, or a designee, to make a single motion in Executive Session, or a single motion in Legislative Session to proceed to Executive Session, to the en bloc consideration of 2 or more military nominations that, at the time of the motion—

(i) are pending on the Executive calendar or are on the Secretary’s Desk;

(ii) have laid over 1 day, as required under paragraph 1 of rule XXXI of the Standing Rules of the Senate; and

(iii) have been favorably reported to the Senate by the Committee on Armed Services of the Senate.

(B) EXCEPTION.—It shall not be in order to include in a motion under subparagraph (A) a nomination to—

(i) a position described in section 151(a) of title 10, United States Code (relating to the membership of the Joint Chiefs of Staff); or

(ii) a position as the commander of a combatant command established under section 161, 167, or 167b of title 10, United States Code.

(2) CONSIDERATION OF MOTION.—A motion to proceed under paragraph (1) shall not be debatable and shall not be divisible or subject to a point of order.

(c) CONSIDERATION OF MILITARY NOMINATIONS.—

(1) CLOTURE MOTION IN ORDER.—If a motion to proceed to 2 or more military nominations under subsection (b)(1) is agreed to, the military nominations considered en bloc shall not be subject to division and it shall be in order for a Senator to present a single cloture motion to bring to a close debate on the military nominations, en bloc, signed in accordance with rule XXII of the Standing Rules of the Senate.

(2) QUESTION.—When, in accordance with rule XXII of the Standing Rules of the Senate, the Presiding Officer submits to the Senate by a yea-and-nay vote the question on a cloture motion presented under paragraph (1), the question shall be: “Is it the sense of the Senate that debate shall be brought to a close on the military nominations the Senate agreed to consider en bloc?”.

(3) VOTE THRESHOLD TO INVOKE CLOTURE.—The question under paragraph (2) shall be decided by a majority of the Senators voting, a quorum being present.

(4) POST CLOTURE CONSIDERATION.—If cloture is invoked under paragraph (3), the military nominations being considered en bloc shall be the unfinished business to the exclusion of all other business until disposed of and there shall be no more than 2 hours of consideration of the military nominations being considered en bloc.

(5) VOTE ON NOMINATIONS.—After no more than 2 hours of consideration of the military nominations under paragraph (4), the Senate shall vote, without any intervening action or debate, except a single quorum call on demand to establish the presence of a quorum (and motions required to establish a quorum), on the confirmation of the military nominations en bloc.

(6) DISPOSING OF NOMINATIONS.—Following confirmation of the military nominations en bloc under paragraph (5), the motion to re-consider the confirmation vote on the military nominations en bloc shall be considered made and laid upon the table and the President shall be immediately notified of the Senate’s action on the military nominations.

(d) MULTIPLE MOTIONS AUTHORIZED.—There shall be no limit on the number of motions in order under this resolution.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1358. Mr. HICKENLOOPER proposed an amendment to the bill S. 447, to establish a demonstration program for the active remediation of orbital debris and to require the development of uniform orbital debris standard practices in order to support a safe and sustainable orbital environment, and for other purposes.

TEXT OF AMENDMENTS

SA 1358. Mr. HICKENLOOPER proposed an amendment to the bill S. 447, to establish a demonstration program for the active remediation of orbital debris and to require the development of uniform orbital debris standard practices in order to support a safe and sustainable orbital environment, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Orbital Sustainability Act of 2023” or the “ORBITS Act of 2023”.

SEC. 2. FINDINGS; SENSE OF CONGRESS.

(a) FINDINGS.—Congress makes the following findings:

(1) The safety and sustainability of operations in low-Earth orbit and nearby orbits in outer space have become increasingly endangered by a growing amount of orbital debris.

(2) Exploration and scientific research missions and commercial space services of critical importance to the United States rely on continued and secure access to outer space.

(3) Efforts by nongovernmental space entities to apply lessons learned through standards and best practices will benefit from government support for implementation both domestically and internationally.

(b) SENSE OF CONGRESS.—It is the sense of Congress that to preserve the sustainability of operations in space, the United States Government should—

(1) to the extent practicable, develop and carry out programs, establish or update regulations, and commence initiatives to minimize orbital debris, including initiatives to demonstrate active debris remediation of orbital debris generated by the United States Government or other entities under the jurisdiction of the United States;

(2) lead international efforts to encourage other spacefaring countries to mitigate and remediate orbital debris under their jurisdiction and control; and

(3) encourage space system operators to continue implementing best practices for space safety when deploying satellites and constellations of satellites, such as transparent data sharing and designing for system reliability, so as to limit the generation of future orbital debris.

SEC. 3. DEFINITIONS.

In this Act:

(1) ACTIVE DEBRIS REMEDIATION.—The term “active debris remediation”—

(A) means the deliberate process of facilitating the de-orbit, repurposing, or other disposal of orbital debris, which may include moving orbital debris to a safe position, using an object or technique that is external or internal to the orbital debris; and

(B) does not include de-orbit, repurposing, or other disposal of orbital debris by passive means.

(2) ADMINISTRATOR.—The term “Administrator” means the Administrator of the National Aeronautics and Space Administration.

(3) APPROPRIATE COMMITTEES OF CONGRESS.—The term “appropriate committees of Congress” means—

(A) the Committee on Appropriations, the Committee on Commerce, Science, and Transportation, the Committee on Foreign Relations, and the Committee on Armed Services of the Senate; and

(B) the Committee on Appropriations, the Committee on Science, Space, and Technology, the Committee on Foreign Affairs, and the Committee on Armed Services of the House of Representatives.

(4) DEMONSTRATION PROJECT.—The term “demonstration project” means the active orbital debris remediation demonstration project carried out under section 4(b).

(5) ELIGIBLE ENTITY.—The term “eligible entity” means—

(A) a United States-based—

(i) non-Federal, commercial entity;

(ii) institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a))); or

(iii) nonprofit organization;

(B) any other United States-based entity the Administrator considers appropriate; and

(C) a partnership of entities described in subparagraphs (A) and (B).

(6) ORBITAL DEBRIS.—The term “orbital debris” means any human-made space object orbiting Earth that—

(A) no longer serves an intended purpose; and

(B)(i) has reached the end of its mission; or

(ii) is incapable of safe maneuver or operation.

(7) PROJECT.—The term “project” means a specific investment with defined requirements, a life-cycle cost, a period of duration with a beginning and an end, and a management structure that may interface with other projects, agencies, and international partners to yield new or revised technologies addressing strategic goals.

(8) SECRETARY.—The term “Secretary” means the Secretary of Commerce.

(9) SPACE TRAFFIC COORDINATION.—The term “space traffic coordination” means the planning, coordination, and on-orbit synchronization of activities to enhance the safety and sustainability of operations in the space environment.

SEC. 4. ACTIVE DEBRIS REMEDIATION.

(a) PRIORITIZATION OF ORBITAL DEBRIS.—

(1) LIST.—Not later than 90 days after the date of the enactment of this Act, the Secretary, in consultation with the Administrator, the Secretary of Defense, the Secretary of State, the National Space Council, and representatives of the commercial space industry, academia, and nonprofit organizations, shall publish a list of select identified orbital debris that may be remediated to improve the safety and sustainability of orbiting satellites and on-orbit activities.

(2) CONTENTS.—The list required under paragraph (1)—

(A) shall be developed using appropriate sources of data and information derived from governmental and nongovernmental sources, including space situational awareness data obtained by the Office of Space Commerce, to the extent practicable;

(B) shall include, to the extent practicable—

(i) a description of the approximate age, location in orbit, size, mass, tumbling state, post-mission passivation actions taken, and national jurisdiction of each orbital debris identified; and

(ii) data required to inform decisions regarding potential risk and feasibility of safe remediation;

(C) may include orbital debris that poses a significant risk to terrestrial people and assets, including risk resulting from potential environmental impacts from the uncontrolled reentry of the orbital debris identified; and

(D) may include collections of small debris that, as of the date of the enactment of this Act, are untracked.

(3) PUBLIC AVAILABILITY; PERIODIC UPDATES.—

(A) IN GENERAL.—Subject to subparagraph (B), the list required under paragraph (1) shall be published in unclassified form on a publicly accessible internet website of the Department of Commerce.

(B) EXCLUSION.—The Secretary may not include on the list published under subparagraph (A) data acquired from nonpublic sources.

(C) PERIODIC UPDATES.—Such list shall be updated periodically.

(4) ACQUISITION, ACCESS, USE, AND HANDLING OF DATA OR INFORMATION.—In carrying out the activities under this subsection, the Secretary—

(A) shall acquire, access, use, and handle data or information in a manner consistent with applicable provisions of law and policy, including laws and policies providing for the protection of privacy and civil liberties, and subject to any restrictions required by the source of the information;

(B) shall have access, upon written request, to all information, data, or reports of any executive agency that the Secretary determines necessary to carry out the activities under this subsection, provided that such access is—

(i) conducted in a manner consistent with applicable provisions of law and policy of the originating agency, including laws and policies providing for the protection of privacy and civil liberties; and

(ii) consistent with due regard for the protection from unauthorized disclosure of classified information relating to sensitive intelligence sources and methods or other exceptionally sensitive matters; and

(C) may obtain commercially available information that may not be publicly available.

(b) ACTIVE ORBITAL DEBRIS REMEDIATION DEMONSTRATION PROJECT.—

(1) ESTABLISHMENT.—Not later than 180 days after the date of the enactment of this Act, subject to the availability of appropriations, the Administrator, in consultation with the head of each relevant Federal department or agency, shall establish a demonstration project to make competitive awards for the research, development, and demonstration of technologies leading to the remediation of selected orbital debris identified under subsection (a)(1).

(2) PURPOSE.—The purpose of the demonstration project shall be to enable eligible entities to pursue the phased development and demonstration of technologies and processes required for active debris remediation.

(3) PROCEDURES AND CRITERIA.—In establishing the demonstration project, the Administrator shall—

(A) establish—

(i) eligibility criteria for participation; and

(ii) a process for soliciting proposals from eligible entities;

(iii) criteria for the contents of such proposals;

(iv) project compliance and evaluation metrics; and

(v) project phases and milestones;

(B) identify government-furnished data or equipment;

(C) develop a plan for National Aeronautics and Space Administration participation, as appropriate, in technology development and intellectual property rights that—

(i) leverages National Aeronautics and Space Administration Centers that have demonstrated expertise and historical knowledge in measuring, modeling, characterizing, and describing the current and future orbital debris environment; and

(ii) develops the technical consensus for adopting mitigation measures for such participation; and

(D)(i) assign a project manager to oversee the demonstration project and carry out project activities under this subsection; and

(ii) in assigning such project manager, leverage National Aeronautics and Space Administration Centers and the personnel of

National Aeronautics and Space Administration Centers, as practicable.

(4) RESEARCH AND DEVELOPMENT PHASE.—With respect to orbital debris identified under paragraph (1) of subsection (a), the Administrator shall, to the extent practicable and subject to the availability of appropriations, carry out the additional research and development activities necessary to mature technologies, in partnership with eligible entities, with the intent to close commercial capability gaps and enable potential future remediation missions for such orbital debris, with a preference for technologies that are capable of remediating orbital debris that have a broad range of characteristics described in paragraph (2)(B)(i) of that subsection.

(5) DEMONSTRATION MISSION PHASE.—

(A) IN GENERAL.—The Administrator shall evaluate proposals for a demonstration mission, and select and enter into a partnership with an eligible entity, subject to the availability of appropriations, with the intent to demonstrate technologies determined by the Administrator to meet a level of technology readiness sufficient to carry out on-orbit remediation of select orbital debris.

(B) EVALUATION.—In evaluating proposals for the demonstration project, the Administrator shall—

(i) consider the safety, feasibility, cost, benefit, and maturity of the proposed technology;

(ii) consider the potential for the proposed demonstration to successfully remediate orbital debris and to advance the commercial state of the art with respect to active debris remediation;

(iii) carry out a risk analysis of the proposed technology that takes into consideration the potential casualty risk to humans in space or on the Earth's surface;

(iv) in an appropriate setting, conduct thorough testing and evaluation of the proposed technology and each component of such technology or system of technologies; and

(v) consider the technical and financial feasibility of using the proposed technology to conduct multiple remediation missions.

(C) CONSULTATION.—The Administrator shall consult with the head of each relevant Federal department or agency before carrying out any demonstration mission under this paragraph.

(D) ACTIVE DEBRIS REMEDIATION DEMONSTRATION MISSION.—It is the sense of Congress that the Administrator should consider maximizing competition for, and use best practices to engage commercial entities in, an active debris remediation demonstration mission.

(6) BRIEFING AND REPORTS.—

(A) INITIAL BRIEFING.—Not later than 30 days after the establishment of the demonstration project under paragraph (1), the Administrator shall provide to the appropriate committees of Congress a briefing on the details of the demonstration project.

(B) ANNUAL REPORT.—Not later than 1 year after the initial briefing under subparagraph (A), and annually thereafter until the conclusion of the 1 or more demonstration missions, the Administrator shall submit to the appropriate committees of Congress a status report on—

(i) the technology developed under the demonstration project;

(ii) progress toward the accomplishment of the 1 or more demonstration missions; and

(iii) any duplicative efforts carried out or supported by the National Aeronautics and Space Administration or the Department of Defense.

(C) RECOMMENDATIONS.—Not later than 1 year after the date on which the first demonstration mission is carried out under this

subsection, the Administrator, in consultation with the head of each relevant Federal department or agency, shall submit to Congress a report that provides legislative, regulatory, and policy recommendations to improve active debris remediation missions, as applicable.

(D) TECHNICAL ANALYSIS.—

(i) IN GENERAL.—To inform decisions regarding the acquisition of active debris remediation services by the Federal Government, not later than 1 year after the date on which an award is made under paragraph (1), the Administrator shall submit to Congress a report that—

(I) summarizes the cost-effectiveness, and provides a technical analysis of, technologies developed under the demonstration project;

(II) identifies any technology gaps addressed by the demonstration project and any remaining technology gaps; and

(III) provides, as applicable, any further legislative, regulatory, and policy recommendations to enable active debris remediation missions.

(ii) AVAILABILITY.—The Administration shall make the report submitted under clause (i) available to the Secretary, the Secretary of Defense, and other relevant Federal departments and agencies, as determined by the Administrator.

(7) SENSE OF CONGRESS ON INTERNATIONAL COOPERATION.—It is the sense of Congress that, in carrying out the demonstration project, it is critical that the Administrator, in coordination with the Secretary of State and in consultation with the National Space Council, cooperate with one or more partner countries to enable the remediation of orbital debris that is under their respective jurisdictions.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Administrator to carry out this section \$150,000,000 for the period of fiscal years 2024 through 2028.

(d) RESCISSION OF UNOBLIGATED FUNDS.—Unobligated balances of amounts appropriated or otherwise made available by subsection (c) as of September 30, 2028, shall be rescinded not later than December 31, 2028.

(e) RULE OF CONSTRUCTION.—Nothing in this section may be construed to grant the Administrator the authority to issue any regulation relating to activities under subsection (b) or related space activities under title 51, United States Code.

SEC. 5. ACTIVE DEBRIS REMEDIATION SERVICES.

(a) IN GENERAL.—To foster the competitive development, operation, improvement, and commercial availability of active debris remediation services, and in consideration of the economic analysis required by subsection (b) and the briefing and reports under section 4(b)(6), the Administrator and the head of each relevant Federal department or agency may acquire services for the remediation of orbital debris, whenever practicable, through fair and open competition for contracts that are well-defined, milestone-based, and in accordance with the Federal Acquisition Regulation.

(b) ECONOMIC ANALYSIS.—Based on the results of the demonstration project, the Secretary, acting through the Office of Space Commerce, shall publish an assessment of the estimated Federal Government and private sector demand for orbital debris remediation services for the 10-year period beginning in 2025.

SEC. 6. UNIFORM ORBITAL DEBRIS STANDARD PRACTICES FOR UNITED STATES SPACE ACTIVITIES.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the National Space Council, in coordination with the Secretary, the Administrator of the

Federal Aviation Administration, the Secretary of Defense, the Secretary of State, the Federal Communications Commission, and the Administrator, shall initiate an update to the Orbital Debris Mitigation Standard Practices that—

- (1) considers planned space systems, including satellite constellations; and
- (2) addresses—
 - (A) collision risk;
 - (B) explosion risk;
 - (C) casualty probability;
 - (D) post-mission disposal of space systems;
 - (E) time to disposal or de-orbit;
 - (F) spacecraft collision avoidance and automated identification capability; and
 - (G) the ability to track orbital debris of decreasing size.

(b) CONSULTATION.—In developing the update under subsection (a), the National Space Council, or a designee of the National Space Council, shall seek advice and input on commercial standards and best practices from representatives of the commercial space industry, academia, and nonprofit organizations, including through workshops and, as appropriate, advance public notice and comment processes under chapter 5 of title 5, United States Code.

(c) PUBLICATION.—Not later than 1 year after the date of the enactment of this Act, such update shall be published in the Federal Register and posted to the relevant Federal Government internet websites.

(d) REGULATIONS.—To promote uniformity and avoid duplication in the regulation of space activity, including licensing by the Federal Aviation Administration, the National Oceanic and Atmospheric Administration, and the Federal Communications Commission, such update, after publication, shall be used to inform the further development and promulgation of Federal regulations relating to orbital debris.

(e) INTERNATIONAL PROMOTION.—To encourage effective and nondiscriminatory standards, best practices, rules, and regulations implemented by other countries, such update shall inform bilateral and multilateral discussions focused on the authorization and continuing supervision of nongovernmental space activities.

(f) PERIODIC REVIEW.—Not less frequently than every 5 years, the Orbital Debris Mitigation Standard Practices referred to in subsection (a) shall be assessed and, if necessary, updated, used, and promulgated in a manner consistent with this section.

SEC. 7. STANDARD PRACTICES FOR SPACE TRAFFIC COORDINATION.

(a) IN GENERAL.—The Secretary, in coordination with the Secretary of Defense and members of the National Space Council and the Federal Communications Commission, shall facilitate the development of standard practices for on-orbit space traffic coordination based on existing guidelines and best practices used by Government and commercial space industry operators.

(b) CONSULTATION.—In facilitating the development of standard practices under subsection (a), the Secretary, through the Office of Space Commerce, in consultation with the National Institute of Standards and Technology, shall engage in frequent and routine consultation with representatives of the commercial space industry, academia, and nonprofit organizations.

(c) PROMOTION OF STANDARD PRACTICES.—On completion of such standard practices, the Secretary, the Secretary of State, the Secretary of Transportation, the Administrator, and the Secretary of Defense shall promote the adoption and use of the standard practices for domestic and international space missions.

AUTHORITY FOR COMMITTEES TO MEET

Mr. SCHUMER. Madam President, I have two requests for committees to meet during today's session of the Senate. They have 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 HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions is authorized to meet during the session of the Senate on Tuesday, October 31, 2023, at 10 a.m., to conduct a hearing.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Tuesday, October 31, 2023, at 10 a.m., to conduct a hearing.

PRIVILEGES OF THE FLOOR

Mr. DURBIN. Madam President, I ask unanimous consent that the privileges of the floor be granted to the following interns of Senator KELLY for today: Alison Bonn, Emmeline Farwell, Alexandra Parker, and Jesus Rendon-Silva.

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

NATIONAL COUNTRY MUSIC MONTH

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 442, which is at the desk.

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

The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 442) designating October 2023 as "National Country Music Month".

There being no objection, the Senate proceeded to consider the resolution.

Mr. SCHUMER. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, and that the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 442) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

NATIONAL FARM TO SCHOOL MONTH

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 443, which was submitted earlier today.

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

The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 443) designating October 2023 as "National Farm to School Month".

There being no objection, the Senate proceeded to consider the resolution.

Mr. SCHUMER. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, and that the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 443) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

ORBITAL SUSTAINABILITY ACT OF 2023

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 206, S. 447.

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

The senior assistant legislative clerk read as follows:

A bill (S. 447) to establish a demonstration program for the active remediation of orbital debris and to require the development of uniform orbital debris standard practices in order to support a safe and sustainable orbital environment, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce, Science, and Transportation 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 "Orbital Sustainability Act of 2023" or the "ORBITS Act of 2023".

SEC. 2. FINDINGS; SENSE OF CONGRESS.

(a) FINDINGS.—Congress makes the following findings:

(1) *The safety and sustainability of operations in low-Earth orbit and nearby orbits in outer space have become increasingly endangered by a growing amount of orbital debris.*

(2) *Exploration and scientific research missions and commercial space services of critical importance to the United States rely on continued and secure access to outer space.*

(3) *Efforts by nongovernmental space entities to apply lessons learned through standards and best practices will benefit from government support for implementation both domestically and internationally.*

(b) SENSE OF CONGRESS.—*It is the sense of Congress that to preserve the sustainability of operations in space, the United States Government should—*

(1) *to the extent practicable, develop and carry out programs, establish or update regulations, and commence initiatives to minimize orbital debris, including initiatives to demonstrate active debris remediation of orbital debris generated by the United States Government or other entities under the jurisdiction of the United States;*

(2) lead international efforts to encourage other spacefaring countries to mitigate and remediate orbital debris under their jurisdiction and control; and

(3) encourage space system operators to continue implementing best practices for space safety when deploying satellites and constellations of satellites, such as transparent data sharing and designing for system reliability, so as to limit the generation of future orbital debris.

SEC. 3. DEFINITIONS.

In this Act:

(1) ACTIVE DEBRIS REMEDIATION.—The term “active debris remediation”—

(A) means the deliberate process of facilitating the de-orbit, repurposing, or other disposal of orbital debris, which may include moving orbital debris to a safe position, using an object or technique that is external or internal to the orbital debris; and

(B) does not include de-orbit, repurposing, or other disposal of orbital debris by passive means.

(2) ADMINISTRATOR.—The term “Administrator” means the Administrator of the National Aeronautics and Space Administration.

(3) APPROPRIATE COMMITTEES OF CONGRESS.—The term “appropriate committees of Congress” means—

(A) the Committee on Appropriations, the Committee on Commerce, Science, and Transportation, and the Committee on Armed Services of the Senate; and

(B) the Committee on Appropriations, the Committee on Science, Space, and Technology, and the Committee on Armed Services of the House of Representatives.

(4) DEMONSTRATION PROJECT.—The term “demonstration project” means the active orbital debris remediation demonstration project carried out under section 4(b).

(5) ELIGIBLE ENTITY.—The term “eligible entity” means—

(A) a United States-based—

(i) non-Federal, commercial entity;

(ii) institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)); or

(iii) nonprofit organization;

(B) any other United States-based entity the Administrator considers appropriate; and

(C) a partnership of entities described in subparagraphs (A) and (B).

(6) ORBITAL DEBRIS.—The term “orbital debris” means any human-made space object orbiting Earth that—

(A) no longer serves an intended purpose; and

(B)(i) has reached the end of its mission; or

(ii) is incapable of safe maneuver or operation.

(7) PROJECT.—The term “project” means a specific investment with defined requirements, a life-cycle cost, a period of duration with a beginning and an end, and a management structure that may interface with other projects, agencies, and international partners to yield new or revised technologies addressing strategic goals.

(8) SECRETARY.—The term “Secretary” means the Secretary of Commerce.

(9) SPACE TRAFFIC COORDINATION.—The term “space traffic coordination” means the planning, coordination, and on-orbit synchronization of activities to enhance the safety and sustainability of operations in the space environment.

SEC. 4. ACTIVE DEBRIS REMEDIATION.

(a) PRIORITIZATION OF ORBITAL DEBRIS.—

(1) LIST.—Not later than 90 days after the date of the enactment of this Act, the Secretary, in consultation with the Administrator, the Secretary of Defense, the Secretary of State, the National Space Council, and representatives of the commercial space industry, academia, and nonprofit organizations, shall publish a list of select identified orbital debris that may be remediated to improve the safety and sustainability of orbiting satellites and on-orbit activities.

(2) CONTENTS.—The list required under paragraph (1)—

(A) shall be developed using appropriate sources of data and information derived from governmental and nongovernmental sources, including space situational awareness data obtained by the Office of Space Commerce, to the extent practicable;

(B) shall include, to the extent practicable—

(i) a description of the approximate age, location in orbit, size, mass, tumbling state, post-mission passivation actions taken, and national jurisdiction of each orbital debris identified; and

(ii) data required to inform decisions regarding potential risk and feasibility of safe remediation;

(C) may include orbital debris that poses a significant risk to terrestrial people and assets, including risk resulting from potential environmental impacts from the uncontrolled reentry of the orbital debris identified; and

(D) may include collections of small debris that, as of the date of the enactment of this Act, are untracked.

(3) PUBLIC AVAILABILITY; PERIODIC UPDATES.—

(A) IN GENERAL.—Subject to subparagraph (B), the list required under paragraph (1) shall be published in unclassified form on a publicly accessible internet website of the Department of Commerce.

(B) EXCLUSION.—The Secretary may not include on the list published under subparagraph (A) data acquired from nonpublic sources.

(C) PERIODIC UPDATES.—Such list shall be updated periodically.

(4) ACQUISITION, ACCESS, USE, AND HANDLING OF DATA OR INFORMATION.—In carrying out the activities under this subsection, the Secretary—

(A) shall acquire, access, use, and handle data or information in a manner consistent with applicable provisions of law and policy, including laws and policies providing for the protection of privacy and civil liberties, and subject to any restrictions required by the source of the information;

(B) shall have access, upon written request, to all information, data, or reports of any executive agency that the Secretary determines necessary to carry out the activities under this subsection, provided that such access is—

(i) conducted in a manner consistent with applicable provisions of law and policy of the originating agency, including laws and policies providing for the protection of privacy and civil liberties; and

(ii) consistent with due regard for the protection from unauthorized disclosure of classified information relating to sensitive intelligence sources and methods or other exceptionally sensitive matters; and

(C) may obtain commercially available information that may not be publicly available.

(b) ACTIVE ORBITAL DEBRIS REMEDIATION DEMONSTRATION PROJECT.—

(1) ESTABLISHMENT.—Not later than 180 days after the date of the enactment of this Act, subject to the availability of appropriations, the Administrator, in consultation with the head of each relevant Federal department or agency, shall establish a demonstration project to make competitive awards for the research, development, and demonstration of technologies leading to the remediation of selected orbital debris identified under subsection (a)(1).

(2) PURPOSE.—The purpose of the demonstration project shall be to enable eligible entities to pursue the phased development and demonstration of technologies and processes required for active debris remediation.

(3) PROCEDURES AND CRITERIA.—In establishing the demonstration project, the Administrator shall—

(A) establish—

(i) eligibility criteria for participation;

(ii) a process for soliciting proposals from eligible entities;

(iii) criteria for the contents of such proposals;

(iv) project compliance and evaluation metrics; and

(v) project phases and milestones;

(B) identify government-furnished data or equipment;

(C) develop a plan for National Aeronautics and Space Administration participation, as appropriate, in technology development and intellectual property rights that—

(i) leverages National Aeronautics and Space Administration Centers that have demonstrated expertise and historical knowledge in measuring, modeling, characterizing, and describing the current and future orbital debris environment; and

(ii) develops the technical consensus for adopting mitigation measures for such participation;

(D)(i) assign a project manager to oversee the demonstration project and carry out project activities under this subsection; and

(ii) in assigning such project manager, leverage National Aeronautics and Space Administration Centers and the personnel of National Aeronautics and Space Administration Centers, as practicable.

(4) RESEARCH AND DEVELOPMENT PHASE.—

With respect to orbital debris identified under paragraph (1) of subsection (a), the Administrator shall, to the extent practicable and subject to the availability of appropriations, carry out the additional research and development activities necessary to mature technologies, in partnership with eligible entities, with the intent to close commercial capability gaps and enable potential future remediation missions for such orbital debris, with a preference for technologies that are capable of remediating orbital debris that have a broad range of characteristics described in paragraph (2)(B)(i) of that subsection.

(5) DEMONSTRATION MISSION PHASE.—

(A) IN GENERAL.—The Administrator shall evaluate proposals for a demonstration mission, and select and enter into a partnership with an eligible entity, subject to the availability of appropriations, with the intent to demonstrate technologies determined by the Administrator to meet a level of technology readiness sufficient to carry out on-orbit remediation of select orbital debris.

(B) EVALUATION.—In evaluating proposals for the demonstration project, the Administrator shall—

(i) consider the safety, feasibility, cost, benefit, and maturity of the proposed technology;

(ii) consider the potential for the proposed demonstration to successfully remediate orbital debris and to advance the commercial state of the art with respect to active debris remediation;

(iii) carry out a risk analysis of the proposed technology that takes into consideration the potential casualty risk to humans in space or on the Earth’s surface;

(iv) in an appropriate setting, conduct thorough testing and evaluation of the proposed technology and each component of such technology or system of technologies; and

(v) consider the technical and financial feasibility of using the proposed technology to conduct multiple remediation missions.

(C) CONSULTATION.—The Administrator shall consult with the head of each relevant Federal department or agency before carrying out any demonstration mission under this paragraph.

(D) ACTIVE DEBRIS REMEDIATION DEMONSTRATION MISSION.—It is the sense of Congress that the Administrator should consider maximizing competition for, and use best practices to engage commercial entities in, an active debris remediation demonstration mission.

(6) BRIEFING AND REPORTS.—

(A) INITIAL BRIEFING.—Not later than 30 days after the establishment of the demonstration project under paragraph (1), the Administrator shall provide to the appropriate committees of Congress a briefing on the details of the demonstration project.

(B) ANNUAL REPORT.—Not later than 1 year after the initial briefing under subparagraph (A), and annually thereafter until the conclusion of the 1 or more demonstration missions, the Administrator shall submit to the appropriate committees of Congress a status report on the technology developed under the demonstration project and progress towards accomplishment of one or more demonstration missions.

(C) RECOMMENDATIONS.—Not later than 1 year after the date on which the first demonstration mission is carried out under this subsection, the Administrator, in consultation with the head of each relevant Federal department or agency, shall submit to Congress a report that provides legislative, regulatory, and policy recommendations to improve active debris remediation missions, as applicable.

(D) TECHNICAL ANALYSIS.—

(i) IN GENERAL.—To inform decisions regarding the acquisition of active debris remediation services by the Federal Government, not later than 1 year after the date on which an award is made under paragraph (1), the Administrator shall submit to Congress a report that—

(I) summarizes the cost-effectiveness, and provides a technical analysis of, technologies developed under the demonstration project;

(II) identifies any technology gaps addressed by the demonstration project and any remaining technology gaps; and

(III) provides, as applicable, any further legislative, regulatory, and policy recommendations to enable active debris remediation missions.

(ii) AVAILABILITY.—The Administration shall make the report submitted under clause (i) available to the Secretary, the Secretary of Defense, and other relevant Federal departments and agencies, as determined by the Administrator.

(7) INTERNATIONAL COOPERATION.—

(A) IN GENERAL.—In carrying out the demonstration project, the Administrator, in consultation with the National Space Council and in collaboration with the Secretary of State, may pursue a cooperative relationship with one or more partner countries to enable the remediation of orbital debris that is under the jurisdiction of such partner countries.

(B) ARRANGEMENT OR AGREEMENT WITH PARTNER COUNTRY.—Any arrangement or agreement entered into with a partner country under subparagraph (A) shall be—

(i) concluded—

(I) in the interests of the United States Government; and

(II) without prejudice to any contractual arrangement among commercial parties that may be required to complete the active debris remediation mission concerned; and

(ii) consistent with the international obligations of the United States under the international legal framework governing outer space activities.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Administrator to carry out this section \$150,000,000 for the period of fiscal years 2024 through 2028.

SEC. 5. ACTIVE DEBRIS REMEDIATION SERVICES.

(a) IN GENERAL.—To foster the competitive development, operation, improvement, and commercial availability of active debris remediation services, and in consideration of the economic analysis required by subsection (b) and the briefing and reports under section 4(b)(6), the Administrator and the head of each relevant Federal department or agency may acquire services for the remediation of orbital debris, whenever practicable, through fair and open competition for contracts that are well-defined, milestone-based, and in accordance with the Federal Acquisition Regulation.

(b) ECONOMIC ANALYSIS.—Based on the results of the demonstration project, the Secretary, acting through the Office of Space Commerce, shall publish an assessment of the estimated Federal

Government and private sector demand for orbital debris remediation services for the 10-year period beginning in 2025.

SEC. 6. UNIFORM ORBITAL DEBRIS STANDARD PRACTICES FOR UNITED STATES SPACE ACTIVITIES.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the National Space Council, in coordination with the Secretary, the Administrator of the Federal Aviation Administration, the Secretary of Defense, the Federal Communications Commission, and the Administrator, shall initiate an update to the Orbital Debris Mitigation Standard Practices that—

(1) considers planned space systems, including satellite constellations; and

(2) addresses—

(A) collision risk;

(B) explosion risk;

(C) casualty probability;

(D) post-mission disposal of space systems;

(E) time to disposal or de-orbit;

(F) spacecraft collision avoidance and automated identification capability; and

(G) the ability to track orbital debris of decreasing size.

(b) CONSULTATION.—In developing the update under subsection (a), the National Space Council, or a designee of the National Space Council, shall seek advice and input on commercial standards and best practices from representatives of the commercial space industry, academia, and nonprofit organizations, including through workshops and, as appropriate, advance public notice and comment processes under chapter 5 of title 5, United States Code.

(c) PUBLICATION.—Not later than 1 year after the date of the enactment of this Act, such update shall be published in the Federal Register and posted to the relevant Federal Government internet websites.

(d) REGULATIONS.—To promote uniformity and avoid duplication in the regulation of space activity, including licensing by the Federal Aviation Administration, the National Oceanic and Atmospheric Administration, and the Federal Communications Commission, such update, after publication, shall be used to inform the further development and promulgation of Federal regulations relating to orbital debris.

(e) INTERNATIONAL PROMOTION.—To encourage effective and nondiscriminatory standards, best practices, rules, and regulations implemented by other countries, such update shall inform bilateral and multilateral discussions focused on the authorization and continuing supervision of nongovernmental space activities.

(f) PERIODIC REVIEW.—Not less frequently than every 5 years, the Orbital Debris Mitigation Standard Practices referred to in subsection (a) shall be assessed and, if necessary, updated, used, and promulgated in a manner consistent with this section.

SEC. 7. STANDARD PRACTICES FOR SPACE TRAFFIC COORDINATION.

(a) IN GENERAL.—The Secretary, in coordination with the Secretary of Defense and members of the National Space Council and the Federal Communications Commission, shall facilitate the development of standard practices for on-orbit space traffic coordination based on existing guidelines and best practices used by Government and commercial space industry operators.

(b) CONSULTATION.—In facilitating the development of standard practices under subsection (a), the Secretary, through the Office of Space Commerce, in consultation with the National Institute of Standards and Technology, shall engage in frequent and routine consultation with representatives of the commercial space industry, academia, and nonprofit organizations.

(c) PROMOTION OF STANDARD PRACTICES.—On completion of such standard practices, the Secretary, the Secretary of State, the Secretary of Transportation, the Administrator, and the Secretary of Defense shall promote the adoption and use of the standard practices for domestic and international space missions.

Mr. SCHUMER. I ask unanimous consent that the Hickenlooper substitute amendment at the desk to the committee-reported substitute amendment be agreed to; the committee-reported substitute amendment, as amended, be agreed to; the bill, as amended, be considered read a third time and passed; and that the motions to reconsider be considered made and laid upon the table.

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

The amendment (No. 1358), in the nature of a substitute, was agreed to.

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

The committee-reported substitute amendment, as amended, was agreed to.

The bill (S. 447), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed as follows:

S. 447

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 "Orbital Sustainability Act of 2023" or the "ORBITS Act of 2023".

SEC. 2. FINDINGS; SENSE OF CONGRESS.

(a) FINDINGS.—Congress makes the following findings:

(1) The safety and sustainability of operations in low-Earth orbit and nearby orbits in outer space have become increasingly endangered by a growing amount of orbital debris.

(2) Exploration and scientific research missions and commercial space services of critical importance to the United States rely on continued and secure access to outer space.

(3) Efforts by nongovernmental space entities to apply lessons learned through standards and best practices will benefit from government support for implementation both domestically and internationally.

(b) SENSE OF CONGRESS.—It is the sense of Congress that to preserve the sustainability of operations in space, the United States Government should—

(1) to the extent practicable, develop and carry out programs, establish or update regulations, and commence initiatives to minimize orbital debris, including initiatives to demonstrate active debris remediation of orbital debris generated by the United States Government or other entities under the jurisdiction of the United States;

(2) lead international efforts to encourage other spacefaring countries to mitigate and remediate orbital debris under their jurisdiction and control; and

(3) encourage space system operators to continue implementing best practices for space safety when deploying satellites and constellations of satellites, such as transparent data sharing and designing for system reliability, so as to limit the generation of future orbital debris.

SEC. 3. DEFINITIONS.

In this Act:

(1) ACTIVE DEBRIS REMEDIATION.—The term "active debris remediation"—

(A) means the deliberate process of facilitating the de-orbit, repurposing, or other disposal of orbital debris, which may include moving orbital debris to a safe position, using an object or technique that is external or internal to the orbital debris; and

(B) does not include de-orbit, repurposing, or other disposal of orbital debris by passive means.

(2) ADMINISTRATOR.—The term “Administrator” means the Administrator of the National Aeronautics and Space Administration.

(3) APPROPRIATE COMMITTEES OF CONGRESS.—The term “appropriate committees of Congress” means—

(A) the Committee on Appropriations, the Committee on Commerce, Science, and Transportation, the Committee on Foreign Relations, and the Committee on Armed Services of the Senate; and

(B) the Committee on Appropriations, the Committee on Science, Space, and Technology, the Committee on Foreign Affairs, and the Committee on Armed Services of the House of Representatives.

(4) DEMONSTRATION PROJECT.—The term “demonstration project” means the active orbital debris remediation demonstration project carried out under section 4(b).

(5) ELIGIBLE ENTITY.—The term “eligible entity” means—

(A) a United States-based—

(i) non-Federal, commercial entity; (ii) institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a))); or

(iii) nonprofit organization;

(B) any other United States-based entity the Administrator considers appropriate; and

(C) a partnership of entities described in subparagraphs (A) and (B).

(6) ORBITAL DEBRIS.—The term “orbital debris” means any human-made space object orbiting Earth that—

(A) no longer serves an intended purpose; and

(B)(i) has reached the end of its mission; or

(ii) is incapable of safe maneuver or operation.

(7) PROJECT.—The term “project” means a specific investment with defined requirements, a life-cycle cost, a period of duration with a beginning and an end, and a management structure that may interface with other projects, agencies, and international partners to yield new or revised technologies addressing strategic goals.

(8) SECRETARY.—The term “Secretary” means the Secretary of Commerce.

(9) SPACE TRAFFIC COORDINATION.—The term “space traffic coordination” means the planning, coordination, and on-orbit synchronization of activities to enhance the safety and sustainability of operations in the space environment.

SEC. 4. ACTIVE DEBRIS REMEDIATION.

(a) PRIORITIZATION OF ORBITAL DEBRIS.—

(1) LIST.—Not later than 90 days after the date of the enactment of this Act, the Secretary, in consultation with the Administrator, the Secretary of Defense, the Secretary of State, the National Space Council, and representatives of the commercial space industry, academia, and nonprofit organizations, shall publish a list of select identified orbital debris that may be remediated to improve the safety and sustainability of orbiting satellites and on-orbit activities.

(2) CONTENTS.—The list required under paragraph (1)—

(A) shall be developed using appropriate sources of data and information derived from governmental and nongovernmental sources, including space situational awareness data obtained by the Office of Space Commerce, to the extent practicable;

(B) shall include, to the extent practicable—

(i) a description of the approximate age, location in orbit, size, mass, tumbling state, post-mission passivation actions taken, and national jurisdiction of each orbital debris identified; and

(ii) data required to inform decisions regarding potential risk and feasibility of safe remediation;

(C) may include orbital debris that poses a significant risk to terrestrial people and assets, including risk resulting from potential environmental impacts from the uncontrolled reentry of the orbital debris identified; and

(D) may include collections of small debris that, as of the date of the enactment of this Act, are untracked.

(3) PUBLIC AVAILABILITY; PERIODIC UPDATES.—

(A) IN GENERAL.—Subject to subparagraph (B), the list required under paragraph (1) shall be published in unclassified form on a publicly accessible internet website of the Department of Commerce.

(B) EXCLUSION.—The Secretary may not include on the list published under subparagraph (A) data acquired from nonpublic sources.

(C) PERIODIC UPDATES.—Such list shall be updated periodically.

(4) ACQUISITION, ACCESS, USE, AND HANDLING OF DATA OR INFORMATION.—In carrying out the activities under this subsection, the Secretary—

(A) shall acquire, access, use, and handle data or information in a manner consistent with applicable provisions of law and policy, including laws and policies providing for the protection of privacy and civil liberties, and subject to any restrictions required by the source of the information;

(B) shall have access, upon written request, to all information, data, or reports of any executive agency that the Secretary determines necessary to carry out the activities under this subsection, provided that such access is—

(i) conducted in a manner consistent with applicable provisions of law and policy of the originating agency, including laws and policies providing for the protection of privacy and civil liberties; and

(ii) consistent with due regard for the protection from unauthorized disclosure of classified information relating to sensitive intelligence sources and methods or other exceptionally sensitive matters; and

(C) may obtain commercially available information that may not be publicly available.

(b) ACTIVE ORBITAL DEBRIS REMEDIATION DEMONSTRATION PROJECT.—

(1) ESTABLISHMENT.—Not later than 180 days after the date of the enactment of this Act, subject to the availability of appropriations, the Administrator, in consultation with the head of each relevant Federal department or agency, shall establish a demonstration project to make competitive awards for the research, development, and demonstration of technologies leading to the remediation of selected orbital debris identified under subsection (a)(1).

(2) PURPOSE.—The purpose of the demonstration project shall be to enable eligible entities to pursue the phased development and demonstration of technologies and processes required for active debris remediation.

(3) PROCEDURES AND CRITERIA.—In establishing the demonstration project, the Administrator shall—

(A) establish—
(i) eligibility criteria for participation; and
(ii) a process for soliciting proposals from eligible entities;

(iii) criteria for the contents of such proposals;

(iv) project compliance and evaluation metrics; and

(v) project phases and milestones;

(B) identify government-furnished data or equipment;

(C) develop a plan for National Aeronautics and Space Administration participation, as appropriate, in technology development and

intellectual property rights that—

(i) leverages National Aeronautics and Space Administration Centers that have demonstrated expertise and historical knowledge in measuring, modeling, characterizing, and describing the current and future orbital debris environment; and

(ii) develops the technical consensus for adopting mitigation measures for such participation; and

(D)(i) assign a project manager to oversee the demonstration project and carry out project activities under this subsection; and

(ii) in assigning such project manager, leverage National Aeronautics and Space Administration Centers and the personnel of National Aeronautics and Space Administration Centers, as practicable.

(4) RESEARCH AND DEVELOPMENT PHASE.—With respect to orbital debris identified under paragraph (1) of subsection (a), the Administrator shall, to the extent practicable and subject to the availability of appropriations, carry out the additional research and development activities necessary to mature technologies, in partnership with eligible entities, with the intent to close commercial capability gaps and enable potential future remediation missions for such orbital debris, with a preference for technologies that are capable of remediating orbital debris that have a broad range of characteristics described in paragraph (2)(B)(i) of that subsection.

(5) DEMONSTRATION MISSION PHASE.—

(A) IN GENERAL.—The Administrator shall evaluate proposals for a demonstration mission, and select and enter into a partnership with an eligible entity, subject to the availability of appropriations, with the intent to demonstrate technologies determined by the Administrator to meet a level of technology readiness sufficient to carry out on-orbit remediation of select orbital debris.

(B) EVALUATION.—In evaluating proposals for the demonstration project, the Administrator shall—

(i) consider the safety, feasibility, cost, benefit, and maturity of the proposed technology;

(ii) consider the potential for the proposed demonstration to successfully remediate orbital debris and to advance the commercial state of the art with respect to active debris remediation;

(iii) carry out a risk analysis of the proposed technology that takes into consideration the potential casualty risk to humans in space or on the Earth’s surface;

(iv) in an appropriate setting, conduct thorough testing and evaluation of the proposed technology and each component of such technology or system of technologies; and

(v) consider the technical and financial feasibility of using the proposed technology to conduct multiple remediation missions.

(C) CONSULTATION.—The Administrator shall consult with the head of each relevant Federal department or agency before carrying out any demonstration mission under this paragraph.

(D) ACTIVE DEBRIS REMEDIATION DEMONSTRATION MISSION.—It is the sense of Congress that the Administrator should consider maximizing competition for, and use best practices to engage commercial entities in, an active debris remediation demonstration mission.

(6) BRIEFING AND REPORTS.—

(A) INITIAL BRIEFING.—Not later than 30 days after the establishment of the demonstration project under paragraph (1), the Administrator shall provide to the appropriate committees of Congress a briefing on the details of the demonstration project.

(B) ANNUAL REPORT.—Not later than 1 year after the initial briefing under subparagraph

(A), and annually thereafter until the conclusion of the 1 or more demonstration missions, the Administrator shall submit to the appropriate committees of Congress a status report on—

- (i) the technology developed under the demonstration project;
- (ii) progress toward the accomplishment of the 1 or more demonstration missions; and
- (iii) any duplicative efforts carried out or supported by the National Aeronautics and Space Administration or the Department of Defense.

(C) RECOMMENDATIONS.—Not later than 1 year after the date on which the first demonstration mission is carried out under this subsection, the Administrator, in consultation with the head of each relevant Federal department or agency, shall submit to Congress a report that provides legislative, regulatory, and policy recommendations to improve active debris remediation missions, as applicable.

(D) TECHNICAL ANALYSIS.—

(i) IN GENERAL.—To inform decisions regarding the acquisition of active debris remediation services by the Federal Government, not later than 1 year after the date on which an award is made under paragraph (1), the Administrator shall submit to Congress a report that—

(I) summarizes the cost-effectiveness, and provides a technical analysis of, technologies developed under the demonstration project;

(II) identifies any technology gaps addressed by the demonstration project and any remaining technology gaps; and

(III) provides, as applicable, any further legislative, regulatory, and policy recommendations to enable active debris remediation missions.

(ii) AVAILABILITY.—The Administration shall make the report submitted under clause (i) available to the Secretary, the Secretary of Defense, and other relevant Federal departments and agencies, as determined by the Administrator.

(7) SENSE OF CONGRESS ON INTERNATIONAL COOPERATION.—It is the sense of Congress that, in carrying out the demonstration project, it is critical that the Administrator, in coordination with the Secretary of State and in consultation with the National Space Council, cooperate with one or more partner countries to enable the remediation of orbital debris that is under their respective jurisdictions.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Administrator to carry out this section \$150,000,000 for the period of fiscal years 2024 through 2028.

(d) RESCISSION OF UNOBLIGATED FUNDS.—Unobligated balances of amounts appropriated or otherwise made available by subsection (c) as of September 30, 2028, shall be rescinded not later than December 31, 2028.

(e) RULE OF CONSTRUCTION.—Nothing in this section may be construed to grant the Administrator the authority to issue any regulation relating to activities under subsection (b) or related space activities under title 51, United States Code.

SEC. 5. ACTIVE DEBRIS REMEDIATION SERVICES.

(a) IN GENERAL.—To foster the competitive development, operation, improvement, and commercial availability of active debris remediation services, and in consideration of the economic analysis required by subsection (b) and the briefing and reports under section 4(b)(6), the Administrator and the head of each relevant Federal department or agency may acquire services for the remediation of orbital debris, whenever practicable, through fair and open competition for contracts that are well-defined, milestone-based, and in accordance with the Federal Acquisition Regulation.

(b) ECONOMIC ANALYSIS.—Based on the results of the demonstration project, the Secretary, acting through the Office of Space Commerce, shall publish an assessment of the estimated Federal Government and private sector demand for orbital debris remediation services for the 10-year period beginning in 2025.

SEC. 6. UNIFORM ORBITAL DEBRIS STANDARD PRACTICES FOR UNITED STATES SPACE ACTIVITIES.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the National Space Council, in coordination with the Secretary, the Administrator of the Federal Aviation Administration, the Secretary of Defense, the Secretary of State, the Federal Communications Commission, and the Administrator, shall initiate an update to the Orbital Debris Mitigation Standard Practices that—

- (1) considers planned space systems, including satellite constellations; and
- (2) addresses—
 - (A) collision risk;
 - (B) explosion risk;
 - (C) casualty probability;
 - (D) post-mission disposal of space systems;
 - (E) time to disposal or de-orbit;
 - (F) spacecraft collision avoidance and automated identification capability; and
 - (G) the ability to track orbital debris of decreasing size.

(b) CONSULTATION.—In developing the update under subsection (a), the National Space Council, or a designee of the National Space Council, shall seek advice and input on commercial standards and best practices from representatives of the commercial space industry, academia, and nonprofit organizations, including through workshops and, as appropriate, advance public notice and comment processes under chapter 5 of title 5, United States Code.

(c) PUBLICATION.—Not later than 1 year after the date of the enactment of this Act, such update shall be published in the Federal Register and posted to the relevant Federal Government internet websites.

(d) REGULATIONS.—To promote uniformity and avoid duplication in the regulation of space activity, including licensing by the Federal Aviation Administration, the National Oceanic and Atmospheric Administration, and the Federal Communications Commission, such update, after publication, shall be used to inform the further development and promulgation of Federal regulations relating to orbital debris.

(e) INTERNATIONAL PROMOTION.—To encourage effective and nondiscriminatory standards, best practices, rules, and regulations implemented by other countries, such update shall inform bilateral and multilateral discussions focused on the authorization and continuing supervision of nongovernmental space activities.

(f) PERIODIC REVIEW.—Not less frequently than every 5 years, the Orbital Debris Mitigation Standard Practices referred to in subsection (a) shall be assessed and, if necessary, updated, used, and promulgated in a manner consistent with this section.

SEC. 7. STANDARD PRACTICES FOR SPACE TRAFFIC COORDINATION.

(a) IN GENERAL.—The Secretary, in coordination with the Secretary of Defense and members of the National Space Council and the Federal Communications Commission, shall facilitate the development of standard practices for on-orbit space traffic coordination based on existing guidelines and best practices used by Government and commercial space industry operators.

(b) CONSULTATION.—In facilitating the development of standard practices under subsection (a), the Secretary, through the Office of Space Commerce, in consultation with the

National Institute of Standards and Technology, shall engage in frequent and routine consultation with representatives of the commercial space industry, academia, and nonprofit organizations.

(c) PROMOTION OF STANDARD PRACTICES.—On completion of such standard practices, the Secretary, the Secretary of State, the Secretary of Transportation, the Administrator, and the Secretary of Defense shall promote the adoption and use of the standard practices for domestic and international space missions.

LAUNCH COMMUNICATIONS ACT

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 209, S. 1648.

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

The senior assistant legislative clerk read as follows:

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

There being no objection, the Senate proceeded to consider the bill which was reported from the Committee on Commerce, Science, and Transportation with amendments as follows:

(The parts of the bill intended to be stricken are in boldfaced brackets, and the parts of the bill intended to be inserted are in italic.

S. 1648

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 “Launch Communications Act”.

SEC. 2. ACCESS TO ELECTROMAGNETIC SPECTRUM FOR COMMERCIAL SPACE LAUNCHES AND REENTRIES.

(a) SERVICE RULES; ALLOCATION.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Commission shall—

(A) complete any proceeding in effect as of such date of enactment related to the adoption of service rules for access to the frequencies described in subsection (c) for commercial space launches and commercial space reentries, including technical specifications, eligibility requirements, and coordination procedures to preserve the defense capabilities of the United States; and

(B) allocate on a secondary basis such frequencies for commercial space launches and commercial space reentries.

(2) COORDINATION WITH NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION.—The coordination procedures adopted under paragraph (1)(A) shall include requirements for persons conducting commercial space launches and commercial space reentries to coordinate with the Assistant Secretary regarding access to the frequencies described in subsection (c) for commercial space launches and commercial space reentries.

(3) LIMITATION.—Access to the frequencies described in subsection (c) in accordance with the service rules adopted under subparagraph (A) of paragraph (1), and the allocation of such frequencies under subparagraph (B) of that paragraph, shall be limited to the use of such frequencies for commercial space launches and commercial space reentries.

(b) STREAMLINING OF PROCESS FOR GRANTING AUTHORIZATIONS.—Not later than 180

days after the date of the enactment of this Act, the Commission shall issue new regulations to streamline the process for granting authorizations for access to the frequencies described in subsection (c) for commercial space launches and commercial space reentries so as to provide for—

(1) authorizations that include access to such frequencies for multiple commercial space launches from 1 or more Federal space launch sites and multiple commercial space reentries to 1 or more Federal space [launch sites] *reentry sites*;

(2) authorizations that include access to such frequencies for multiple commercial space launches from 1 or more private space launch sites and multiple commercial space reentries to 1 or more private space [launch sites], *reentry sites*, upon successful coordination with any Federal space launch site within a range for access to such frequencies such that such a commercial space launch or commercial space reentry [would cause] *would not cause* harmful interference with Federal systems;

(3) authorizations that include access to multiple uses of such frequencies for commercial space launch or commercial space reentry;

(4) [Automation of the processes of the Commission to review] *electronic filing and processing* of applications for authorizations for access to such frequencies for commercial space launches and commercial space reentries; and

(5) improved coordination by the Commission with the Assistant Secretary (who shall coordinate with the head of any other Federal agency, as the Assistant Secretary considers appropriate) to increase the speed of review of applications for authorizations for access to such frequencies for commercial space launches and commercial space reentries, *including coordination to increase automation similar to the automation described in the service rules established by the Commission and the Assistant Secretary to promote the development and use, by entities other than the Federal Government, of spectrum in other bands, including bands with the frequencies between 71 and 76 gigahertz, between 81 and 86 gigahertz, and between 92 and 95 gigahertz*.

(c) FREQUENCIES DESCRIBED.—The frequencies described in this subsection are the frequencies between 2025 and 2110 megahertz, between 2200 and 2290 megahertz, and between 2360 and 2395 megahertz.

(d) RULE OF CONSTRUCTION.—Each range of frequencies described in this section shall be construed to be inclusive of the upper and lower frequencies in the range.

(e) DEFINITIONS.—In this section:

(1) ASSISTANT SECRETARY.—The term “Assistant Secretary” means the Assistant Secretary of Commerce for Communications and Information.

(2) COMMERCIAL SPACE LAUNCH.—The term “commercial space launch” means a launch licensed under chapter 509 of title 51, United States Code.

(3) COMMERCIAL SPACE REENTRY.—The term “commercial space reentry” means a reentry licensed under chapter 509 of title 51, United States Code.

(4) COMMISSION.—The term “Commission” means the Federal Communications Commission.

Mr. SCHUMER. I ask unanimous consent that the committee-reported amendments be agreed to; that the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

The committee-reported amendments were agreed to.

The bill (S. 1648), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed as follows:

S. 1648

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 “Launch Communications Act”.

SEC. 2. ACCESS TO ELECTROMAGNETIC SPECTRUM FOR COMMERCIAL SPACE LAUNCHES AND REENTRIES.

(a) SERVICE RULES; ALLOCATION.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Commission shall—

(A) complete any proceeding in effect as of such date of enactment related to the adoption of service rules for access to the frequencies described in subsection (c) for commercial space launches and commercial space reentries, including technical specifications, eligibility requirements, and coordination procedures to preserve the defense capabilities of the United States; and

(B) allocate on a secondary basis such frequencies for commercial space launches and commercial space reentries.

(2) COORDINATION WITH NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION.—The coordination procedures adopted under paragraph (1)(A) shall include requirements for persons conducting commercial space launches and commercial space reentries to coordinate with the Assistant Secretary regarding access to the frequencies described in subsection (c) for commercial space launches and commercial space reentries.

(3) LIMITATION.—Access to the frequencies described in subsection (c) in accordance with the service rules adopted under subparagraph (A) of paragraph (1), and the allocation of such frequencies under subparagraph (B) of that paragraph, shall be limited to the use of such frequencies for commercial space launches and commercial space reentries.

(b) STREAMLINING OF PROCESS FOR GRANTING AUTHORIZATIONS.—Not later than 180 days after the date of the enactment of this Act, the Commission shall issue new regulations to streamline the process for granting authorizations for access to the frequencies described in subsection (c) for commercial space launches and commercial space reentries so as to provide for—

(1) authorizations that include access to such frequencies for multiple commercial space launches from 1 or more Federal space launch sites and multiple commercial space reentries to 1 or more Federal space reentry sites;

(2) authorizations that include access to such frequencies for multiple commercial space launches from 1 or more private space launch sites and multiple commercial space reentries to 1 or more private space reentry sites, upon successful coordination with any Federal space launch site within a range for access to such frequencies such that such a commercial space launch or commercial space reentry would not cause harmful interference with Federal systems;

(3) authorizations that include access to multiple uses of such frequencies for commercial space launch or commercial space reentry;

(4) electronic filing and processing of applications for authorizations for access to such frequencies for commercial space launches and commercial space reentries; and

(5) improved coordination by the Commission with the Assistant Secretary (who shall

coordinate with the head of any other Federal agency, as the Assistant Secretary considers appropriate) to increase the speed of review of applications for authorizations for access to such frequencies for commercial space launches and commercial space reentries, including coordination to increase automation similar to the automation described in the service rules established by the Commission and the Assistant Secretary to promote the development and use, by entities other than the Federal Government, of spectrum in other bands, including bands with the frequencies between 71 and 76 gigahertz, between 81 and 86 gigahertz, and between 92 and 95 gigahertz.

(c) FREQUENCIES DESCRIBED.—The frequencies described in this subsection are the frequencies between 2025 and 2110 megahertz, between 2200 and 2290 megahertz, and between 2360 and 2395 megahertz.

(d) RULE OF CONSTRUCTION.—Each range of frequencies described in this section shall be construed to be inclusive of the upper and lower frequencies in the range.

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(3) COMMERCIAL SPACE REENTRY.—The term “commercial space reentry” means a reentry licensed under chapter 509 of title 51, United States Code.

(4) COMMISSION.—The term “Commission” means the Federal Communications Commission.

**ORDERS FOR WEDNESDAY,
NOVEMBER 1, 2023**

Mr. SCHUMER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 10 a.m. on Wednesday, November 1; that following the prayer and the pledge, the Journal of Proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and morning business be closed; that upon the conclusion of morning business, the Senate resume consideration of Calendar No. 198, H.R. 4366.

The PRESIDING OFFICER. Without objection, so ordered.

Mr. SCHUMER. For the information of the Senate, there will be two rollcall votes at 11:30 on Paul amendments No. 1217 and No. 1347, as provided under the order of October 24, with additional rollcall votes in the afternoon so we can complete action on the minibus.

**ADJOURNMENT UNTIL 10 A.M.
TOMORROW**

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

There being no objection, the Senate, at 7:28 p.m., adjourned until Wednesday, November 1, 2023, at 10 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate October 31, 2023:

THE JUDICIARY

MATTHEW JAMES MADDOX, OF MARYLAND, TO BE
UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF
MARYLAND.

DEPARTMENT OF STATE

JACOB J. LEW, OF NEW YORK, TO BE AMBASSADOR EX-
TRAORDINARY AND PLENIPOTENTIARY OF THE UNITED
STATES OF AMERICA TO THE STATE OF ISRAEL.