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Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mrs. MURRAY).

PRAYER

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

Let us pray.

Eternal Lord God, we thank You for this Thanksgiving season. We are grateful for life, liberty, and the pursuit of happiness.

Lord, we cling to Your promise in Isaiah 54:17, which tells us no weapon turned against us will succeed. Your promises are great, precious, and true.

Today, use our lawmakers to protect the oppressed, to preserve freedom, and to speak the truth with compassion.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore 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.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

LEGISLATIVE SESSION

FURTHER CONTINUING APPROPRIATIONS AND OTHER EXTENSIONS ACT, 2024—MOTION TO PROCEED

Mr. SCHUMER. Madam President, I move to proceed to Calendar No. 248, H.R. 6363.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 248, H.R. 6363, a bill making further continuing appropriations for fiscal year 2024, and for other purposes.

CLOTURE MOTION

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

The PRESIDENT pro tempore. 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 motion to proceed to Calendar No. 248, H.R. 6363, a bill making further continuing appropriations for fiscal year 2024, and for other purposes.

Charles E. Schumer, Patty Murray, Jack Reed, Benjamin L. Cardin, Maria Cantwell, Brian Schatz, Chris Van Hollen, Martin Heinrich, Jeanne Shaheen, Amy Klobuchar, Catherine Cortez Masto, Richard J. Durbin, Robert P. Casey, Jr., Tammy Baldwin, Tina Smith, Angus S. King, Jr., Margaret Wood Hassan.

Mr. SCHUMER. I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. WELCH). Without objection, it is so ordered.

CHINA

Mr. SCHUMER. Mr. President, today, President Biden will meet face to face with President Xi Jinping during the APEC summit in San Francisco. One month ago, President Xi said during our bipartisan codel that there are at least ''a thousand reasons'' for China and the United States to have a good relationship. Today, President Xi has the chance to show he is serious on at least a couple of those reasons.

Above all, I look forward to President Biden following up on our codel conversation with President Xi in order to get serious on combating the spread of fentanyl. Fentanyl was one of the biggest issues we raised with President Xi during our bipartisan codel, and I related to Jake Sullivan earlier this week that the President should be strong on this issue during this meeting.

One specific issue we raised was for Chinese law enforcement to coordinate with U.S. law enforcement and enforce laws already on the books to stop the sale of precursor chemicals that go into the making of fentanyl.

Let's be clear. Fentanyl is an American crisis with roots, in large part, in China, where large chemical companies openly sell precursor chemicals to buyers in places like Mexico, where it is manufactured by gangs into fentanyl and then sold in the United States.

When my colleagues and I met with President Xi a month ago, we were blunt on how fentanyl was devastating our communities and that China must recognize its role in combating this crisis. I told President Xi that China taking steps to crack down on the sale of precursor chemicals would be a great, great deal for them. The benefit they would see in the boost in American goodwill would far more than outweigh the tiny cost on their economy. Any good businessman would see that this would be a great trade.

President Xi seemed receptive to our concerns, and I believe that there is a

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

good chance we will get some good news coming out of today's meeting. So I thank President Biden for his leadership as he meets with Xi for the second time in office. It was our experience that President Xi was responsive when we spoke candidly with specifics. I know President Biden will do the same today.

H.R. 6363

On the CR, Mr. President, last night, the House of Representatives overwhelmingly passed a temporary extension of government funding into early next year. The vote in the House was 336 to 95, with 209 Democrats and 127 Republicans voting in favor and 93 Republicans voting against it.

Shortly after the vote, I moved to place the House-passed bill on the Senate's legislative calendar, and I have just filed cloture on the motion to proceed to get this process moving in the Senate.

Today, my Democratic colleagues and I will work with Republicans—and I will work with Leader MCCONNELL—to see if we can come to an agreement to accelerate this bill's passage. If both sides cooperate, there is no reason we can't finish this bill even as soon as today; but we are going to keep working to see what is possible.

Now, the House's CR is far from perfect, but we are moving forward because we believe it accomplishes two things that I and other Democrats have been insistent on for weeks: It will avoid a government shutdown, and it will do so without any of the cruel cuts or poison pills that the hard right pushed for.

I think it was very important that Speaker JOHNSON recognized that Democratic votes are necessary to pass anything of significance in Congress. I have reminded him every time I have spoken to him that we have to work in a bipartisan way to get anything done and, if he follows the clarion call of the hard right, whose views are far away from even the mainstream of his Conference, let alone the American people's or the Senate's, that it would lead to disaster—the same problems that we saw under Speaker BOEHNER, Speaker RYAN, and Speaker MCCARTHY.

Thus far, the Speaker has heeded the lesson as we finish the appropriations process. Bipartisanship is the only way forward, as he once noted. When you have a Senate that is Democratic and a President that is Democratic and a Republican House, particularly one that just follows what the hard right wants, you will not get anything accomplished.

Of course, the CR doesn't do everything we want. Above all, we must finish working on President Biden's emergency supplemental request so we can send aid to Israel, provide humanitarian aid for innocent civilians in Gaza, stand with Ukraine, and provide funds for the Indo-Pacific. We will continue to work with Leader MCCONNELL on a way forward. We intend to move on the President's supplemental package sometime in the coming weeks.

As everyone knows, the biggest holdup right now is the Republicans' insistence that they will only approve Ukraine aid in exchange for immigration items. We are going to work in the coming weeks, in good faith, to see if there is any possibility for a reasonable, realistic compromise that Democrats can support. To come to such a compromise, both sides will have to give. It can't be one side all the way, as when our Republican colleagues offered us, basically, H.R. 2, which we totally opposed and had no input into. So I hope we can get this reasonable, realistic compromise on the border done.

The bottom line is that we need to get Israel aid done; we need to get Ukraine aid done; we need to get humanitarian aid done; we need to get Indo-Pacific aid done. And linking any of these bipartisan issues to extremist positions, to extremist poison pills on immigration or any other issue, would be a colossal blunder that history will look very unkindly upon. I hope we can come to a solution in the coming weeks.

In the meantime, the most important order of business is to keep the government open. We will keep working over the course of the day to fast-track the House's bipartisan CR bill. No drama, no delay, no government shutdown—that is our goal, and we hope we have an agreement very soon. To avoid a shutdown with no cuts in vital programs and no poison pills is a very good solution for the American people.

STUDENT LOANS

Mr. President, on the student debt CRA, today, Senate Republicans continue their cruelty and their lack of connection with what people want and need as they force a vote on a cruel measure to eliminate President Biden's historic loan repayment program—a punch to the gut for millions and millions of borrowers, the overwhelming majority of whom are working class, poor, or middle class.

Let me be clear: I strongly—very strongly—oppose this terrible Republican measure to deny American families relief from the crushing burden of student debt.

My Republican colleagues like to talk a big game about helping working families, but with this student debt Congressional Review Act, they are actively trying to increase the pain on so many working Americans, working Americans who need a hand in paying off their student loans.

The hypocrisy is astounding on the other side of the aisle. Republicans don't think twice about giving huge tax breaks to ultrawealthy billionaires and large corporations, but when it comes to helping out working families with student debt relief, suddenly, it is too much money; it will raise the deficit; we can't afford it. Give me a break. Cut taxes on multibillionaires, and tell a struggling student who is making $30,000, $40,000 a year that they can't get a little help on their student loans? That is so out of whack with what the American people want and care about.

Let me be clear: The President's SAVE Plan is a major lifeline for student loan borrowers to help get their financial houses in order. Over 5.5 million Americans are signed up and benefiting from this plan. So the worst thing we could do right now is let the Republicans' CRA pass and pull the rug out from under these borrowers' feet with no warning.

I strongly oppose this Republican CRA to overturn student debt relief. Democrats will keep working to make sure relief reaches every borrower in need.

MILITARY PROMOTIONS

Mr. President, on Senator TUBERVILLE, yesterday, the Senate Rules Committee reported out our resolution to quickly confirm the military nominations being blocked by Senator TUBERVILLE. I was proud to join the Rules Committee to vote in favor of this resolution. Now that the Rules Committee has acted, I will bring this resolution to the floor soon so we can swiftly confirm the hundreds of military nominations being held by Senator TUBERVILLE.

You know, Mr. President, there has been a lot of negativity and dysfunction in the Senate these days, but Senator TUBERVILLE has single-handedly brought the Senate to a new low. He should be ashamed of himself. Patience is wearing thinner and thinner with Senator TUBERVILLE on both sides of the aisle. What Senator TUBERVILLE is doing is an anomaly in the history of this Chamber.

Of course, every single one of us, not just Senator TUBERVILLE, has issues we feel passionately about, we are certain we are right, as he is in his anti-abortion stand. Every one of us could go and block all of our generals, all of our admirals, and harm our military security because we feel passionately and want to put our views above the views of the rest of the Chamber and of the American people in this case. And what would happen? We would have no military, basically. None. Our national security would be at risk—severe risk—and our way of life would change.

If every one of us had the temerity and recklessness to do what Senator TUBERVILLE has done—and, thank God, no one else has—of each party, it would not only bring the work of this Chamber to a halt, it would risk our national security; it would risk our American way of life eventually. Current and former military officials have spoken out again and again to talk about the devastating impact these holds have on our readiness and our military families.

I wish we had not reached this point. I wish my Republican colleagues could have importuned Senator TUBERVILLE to drop his reckless holds, but it has not happened. It has not happened. Although, there is still some ray of hope, particularly based on what Leader MCCONNELL said in his statement in

the Rules Committee, that maybe, at the last minute, Republican colleagues—which is their responsibility—can persuade their colleague to back off, to find an off-ramp, to aim, as Leader MCCONNELL said in his speech at the Rules Committee, his hold at a policy official who has real say on this issue, not at generals, admirals, and flag officers who have worked so hard for our military and are now being held back and whose families are in difficulty because of what he has callously done.

So we still hold out some small hope that, in the next little, short while, our Republican colleagues can persuade Tuberville to back off. But if it does not happen, we intend to move this resolution to the floor of the Senate to overcome Senator TUBERVILLE's military holds.

I thank Chair KLOBUCHAR and I thank Chair REED for their good work on moving this important resolution.

I yield the floor.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Republican leader is recognized.

STUDENT LOANS

Mr. MCCONNELL. Mr. President, today, the Senate will vote on yet another bipartisan resolution to overturn a harmful Biden administration regulation.

In its latest iteration, the administration's bid for student loan socialism—its so-called income-driven repayment scheme—would likely go down in history as the most expensive Federal regulation in our history.

Leading estimates predict this policy would heap a $559 billion bill onto taxpayers over the next decade. In exchange, a majority of the high-earning borrowers who choose to take on student debt would avoid ever paying back the principals they borrowed.

The administration's plan would actually remove the guardrails that ensure Federal loan relief goes to low-income households. Apparently, loyal blue-State doctors and lawyers are the most important beneficiaries of student loan socialism.

Whichever way you slice it, the President's policy is a raw deal for working Americans who have made the sacrifices to pay off their student loans or avoided debt altogether. But with taxpayers footing the bill, it is also a powerful incentive for schools to raise the price of college even higher.

A bipartisan majority of our colleagues has already rejected the socialist fever dream, and President Biden's first attempt at massive loan cancellation was actually struck down by the Supreme Court. But today, thanks to the leadership of Chairman CASSIDY, Senator THUNE, and Senator CORNYN, the Senate has another chance to kick student loan socialism to the curb.

I would urge my colleagues to support the resolution later today.

BORDER SECURITY

Mr. President, on another matter, it is impossible to ignore the crisis at our southern border that has erupted on Washington Democrats' watch—back-to-back, record-setting years that saw millions upon millions of illegal arrivals at the border and historic quantities of fentanyl and other lethal drugs pouring across to decimate American communities.

Let's remember where this crisis came from. President Biden campaigned on open-borders policies. His message was so compelling that crowds literally showed up at the southern border with his campaign logo on their shirts. As one put it back then, the President had ''promised us that everything was going to change.''

Vice President HARRIS offered a refrain of her own. She said:

> Say it loud, say it clear, everyone is welcome here.

She called the previous administration's commonsense border security measures ''criminalizing innocent people.''

Well, this is the administration that canceled commonsense policies like ''Remain in Mexico,'' shelved DHS resources meant for border wall construction, and abandoned overstretched border enforcement personnel to contend with the tidal wave of mass migration.

Today, cleaning up the administration's mess at the southern border is a matter of urgent national security. I am grateful to a group of Senate Republicans, including Lankford, Graham, and Cotton, who have been working in good faith on substantive policy reforms to bring this crisis under control.

The goal here is simple: Slow the flow, and stop the catch-and-release asylum system that is overrunning border communities and blue cities alike. The crisis isn't crying out for boatloads of new taxpayer dollars, just commonsense policy reform.

Unfortunately, Senate Democrats do not appear ready to admit this reality. They are apparently not ready to seriously address asylum abuse. That is a stance that has put them out of step with even left-leaning governments across the Western world.

For example, Germany, which is struggling with an asylum caseload costing roughly $53 billion, is exploring trusted third country policies to keep asylum seekers outside its borders while their cases are adjudicated. Finland is considering closing some crossing points along its borders as Russia weaponizes migrant flows against the West.

Responsible people everywhere recognize that enforcing sovereign borders isn't some hand-wringing moral outrage. In fact, what is outrageous is refusing to do so.

The American people deserve safe streets, stable prices, and secure borders. These are the fundamental responsibilities of any government, but on all accounts, the Biden administration is failing to deliver.

CHINA

Mr. President, now on one final matter, 1 year ago, President Biden met for the first time with President Xi, the head of the Chinese Communist Party, and he pledged that the United States would compete vigorously with the PRC. One year later, the President and the chairman will meet again—today. So let's take stock of whether the Biden administration is living up to its pledge of vigorous competition.

The stakes of this competition simply cannot be overstated. The Chinese military is outpacing us in pivotal military capabilities like hypersonics, precise long-range fires, and even naval vessels. Beijing has secured a commanding share of the rare minerals necessary to create critical supply. Chinese agents are engaged in an aggressive effort to steal sensitive Western technologies and government secrets. And the PRC consistently signals its disdain for national sovereignty, human rights, and the free flow of commerce.

In other words, strategic competition with China is going to determine the course of the next century of American history. Yet the Biden administration has too often met this historic moment with weakness and naivete. Time and time again, it has sacrificed competition on the altar of green climate policy.

In the administration's quest to turn the American automobile industry electric, it has apparently made peace with sending American tax dollars to the Chinese industries that dominate battery-making inputs. In pursuit of grand climate diplomacy, the administration's envoys have been literally laughed out of Beijing by a state that keeps on increasing its carbon emissions and has no plan to start cutting them literally for years.

Meanwhile, the consequences of the Biden administration's neglect for American hard power are only getting more dangerous. The PRC is acquiring new weapons as much as six times faster than the United States, and for each of the past 2 years, it announced a 7-percent increase in military spending. But even as the President's national defense strategy identifies China as ''the pacing threat,'' his defense budget requests haven't even kept up with inflation.

Chairman Xi has gone out of his way to align closely with fellow adversaries of the West, stepping up joint military exercises with Putin's forces and helping both Moscow and Tehran endure Western sanctions.

China has made military competition with the West a top priority. We can't afford to ignore this challenge. Our allies certainly aren't. Japan, South Korea, Australia, and other Indo-Pacific partners are investing heavily—heavily—in their own defensive.

Taiwan is seeking to make itself a harder target for Chinese aggression, but America must continue to do its part. We have to keep investing in the

sort of defense industrial base that can sustain this armament and strengthen our own military for effective deterrence. The Senate has multiple opportunities before us—in both supplemental measures and full-year Defense appropriations—to do exactly that, and we can't afford not to seize these opportunities.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

THE ECONOMY

Mr. THUNE. Mr. President, yesterday morning, the monthly inflation report came out. Once again, inflation was well above the Fed's target rate of 2 percent. Overall, prices have risen by 17.6 percent since President Biden took office—17.6 percent.

Price hikes in certain categories are even worse. Groceries are up 20.9 percent over that same period. Gasoline prices are up 54.8 percent. Electricity is up almost 25 percent. And rent is up 18 percent. Car repairs and maintenance are up 26.5 percent. And the list goes on.

The President said the other day that Bidenomics is the American dream. It turns out that Bidenomics is more of a nightmare for the American people.

President Biden likes to talk about giving American families ''a little bit of breathing room,'' but that is the exact opposite of what his policies have provided. Wealthy Democrats may not be concerned about a 20-percent increase in the cost of their groceries or a 54-percent increase in the price of gasoline, but for a lot of hard-working American families, those kinds of price increases have meant the difference between having that ''little bit of breathing room'' and having absolutely none.

The Joint Economic Committee estimates that Bidenflation is costing American families $953 per month—$953 per month. Even at half that, inflation would be a massive burden on working families. How many families have put off needed home or car repairs, deferred a kid's braces, or eliminated a family vacation because they are paying hundreds of dollars more a month for their basic needs? And how many other families haven't even been able to pay for their basic needs thanks to the inflation crisis that the President helped create?

It is no surprise that 65 percent of voters say that they had cut back on their nonessential spending or that 52 percent of voters—more than half—said that they had cut spending on food or other everyday necessities or that 55 percent of voters say they are worse off financially under President Biden. It shouldn't come as any big surprise.

Finally, 66 percent of Americans rate the economy as fairly bad or very bad. The fact of the matter is, Americans can't catch a break under President Biden. First, there was the worst inflation crisis in 40 years, a crisis that has been improved from its worst point but is still very much with us.

And now there are the heightened interest rates that the Federal Reserve was forced to put in place to help rein in this inflation crisis. You have higher inflation, higher interest rates.

So now all Americans are dealing not only with consistently high prices; they are also dealing with these sky-high interest rates on credit cards and mortgages and car loans, which are being driven, in part, by the Fed's rate hikes, which have been done in response to out-of-control inflation.

The monthly mortgage payment on a single-family home increased 19 percent since last year. A recent NBC News article reported:

> [I]n late 2020, the monthly mortgage payment on a typical, newly sold home was around $1,100 in principal and interest. It's now about twice that.

Let me just repeat that.

> [I]n late 2020, the monthly mortgage payment on a typical, newly sold home was around $1,100 in principal and interest. It's now about twice that.

If the American dream is owning your own home, it is a dream that has become out of reach for too many Americans in the Biden economy. On the car-buying front, Americans are facing loan rates last seen, as one article noted, during the great recession. And soaring credit card interest rates are making it difficult for Americans to afford their credit card bills, much less make progress at paying them off. It is a situation not helped, of course, by the fact that many Americans had to turn to their credit cards to help them get by under Bidenflation.

It has been a rough 3 years for the American people, and I wish I could say that Americans could expect some relief. But with at least 1 year more on the President's time in office, I am afraid that Bidenomics will continue to eliminate American families' breathing room for the immediate future—so much for the President's American dream.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. HICKENLOOPER). Without objection, it is so ordered.

U.S. SUPREME COURT

Mr. CORNYN. Mr. President, earlier this week, the U.S. Supreme Court issued an official code of conduct. This is really an update over existing rules that govern the ethics and operations of the Judiciary, not only at the Supreme Court but throughout the Judiciary throughout the country. This document was important because questions have been raised about the practices of the Court and about public disclosures of some of their activities.

But the good news is, this was adopted by all nine members of the Court and codifies ethics rules and principles that guide the Justices' conduct.

I am glad that the Court took this step to make clear to the American people that they were committed to operating with the highest ethical standards. But I get the impression that some of our colleagues here in the Congress think that it is the job of another branch of government to tell an independent branch of government what it ought to do. Obviously, it is basic government. We have three coequal branches of government: the legislative branch, the executive branch. Those are the so-called political branches. Then there is the independent judiciary, which is, frankly, I believe, the crown jewel of our system.

I think there are those who sometimes feel like they don't like the decisions made by the Federal judges and that the best way to control that or to have an impact on it is to undermine public confidence in the Judiciary. As my Republican colleagues and I have said for months, any decision about the Supreme Court's rules, including their recusal rules or formal code of conduct, should not come from the Congress; it should come from the Court itself. And now it has done so.

The Senate has a limited, albeit important, role when it comes to the Supreme Court. That is through the confirmation process that we are all familiar with. As we know, all nine members of the Supreme Court underwent a rigorous confirmation process; they endured hours and hours of questions from members of the Judiciary Committee; they had FBI background checks and other background checks; they met with each Senator who was willing to meet with them one-on-one; and they were ultimately confirmed to a seat on the highest Court in the land. That is where the Senate's role ends.

It is not Congress's responsibility or authority to force the Justices to adopt a specific code of conduct or to dictate how the Supreme Court conducts its business. As I said, the Supreme Court and the Federal Judiciary is a separate—separate—and coequal—those are important words—separate and coequal branch of government. And it falls squarely outside the legislature's authority to tell the Supreme Court how to run its business.

There is another constitutional function that is available to us that, fortunately, we haven't had to use in a long time, which is impeachment. That is the role of the Senate and the House. The Senate confirms, but the House can vote Articles of Impeachment, and then there is a trial in the Senate in the most egregious set of circumstances, which, thankfully, we are not presented with.

Many of our friends across the aisle have been particularly vocal about

their desire to see a specific code of ethics for the Supreme Court. As a matter of fact, our Democratic colleagues, the majority, have even cosponsored a bill that would force—force—a coequal branch of government, the Federal judiciary, to adopt a certain specific code of conduct. This was introduced by our colleague from Rhode Island, Senator WHITEHOUSE, under the guise of ''ethics reform.''

In addition to the code of conduct, it would impose strict new rules for recusal. That means when judges should withdraw from and not participate in the decision of a case. It would also subject the Justices to a never-ending stream of ethics complaints by politically motivated groups. The bill itself would incentivize frivolous ethics complaints against Justices to prevent that specific Justice from actually sitting on a particular case.

The Wall Street Journal Editorial Board called this the ''Supreme Court Control Act,'' which is certainly an appropriate description.

This bill is not designed to promote ethics and good governance. It was about forcing an independent branch of government to bend to the Senate's will. In July, Democrats on the Judiciary Committee banded together to pass this potentially unconstitutional bill, but the majority leader has yet to bring it to the floor for a vote because I think he understands it would be dead on arrival.

Now that the Supreme Court has adopted an official code of conduct, I hope our colleagues across the aisle will finally lay this bad idea to rest. They said they wanted the Supreme Court to adopt a code of conduct. The Justices have now done that, and so, now, this should be a moot issue.

I hope this development will also encourage the chairman of the Judiciary Committee to abandon his latest partisan attack on the Court. In the Judiciary Committee last Thursday, Chairman DURBIN and Senator WHITEHOUSE planned to expand their so-called ethics investigation by issuing subpoenas to private individuals.

To be clear, the targets of these subpoenas are not government officials. They are not judges. They are not elected officials. They are private citizens.

Democrats want to bully, interrogate, and, potentially, embarrass these individuals for committing what, in their eyes, amounts to a serious crime, which is being friends with a Supreme Court Justice.

Senators DURBIN and WHITEHOUSE claim this is about transparency and rebuilding trust, but the evidence suggests the opposite. I find it telling that the only subpoena targets are known to donate to Republican candidates and conservative causes. Democrats seem to have zero interest in hearing from liberal billionaires and dark-money groups that have made it their mission to rig the Supreme Court in Democrats' favor.

If our colleagues wanted to hear from folks who actually jeopardize the legitimacy of the Court, my Republican colleagues and I planned to provide a range of options. We planned to provide a range of options at last week's meeting, but then, abruptly, Senator DURBIN gaveled us out, without taking up these subpoenas.

But I did file an amendment to subpoena liberal billionaire George Soros, for example, who is one of the biggest benefactors of the Democratic Party and a major contributor to the dark-money group known as Demand Justice. This isn't your typical public interest advocacy group. The entire goal of the misnamed Demand Justice is to pack the Court and install a permanent liberal majority.

Last year, one of the cofounders of Demand Justice tweeted:

> It's time for [the Democrats] to see the Court as a political opponent, just as much as any [Republican] elected official, and run against it.

So Demand Justice, funded by George Soros, was saying that we need to target these lifetime-tenured, nonpolitical officeholders as political opponents and run against them. If we want to talk about depoliticizing the Court and rebuilding faith in the judiciary, this is where the Judiciary Committee should look.

The millionaires and billionaires who are bankrolling the effort to brand the Court as a political opponent are far more relevant to this debate than longtime personal friends of the Justices.

I was eager to see if Democrats' commitment to ''transparency'' held up when wealthy Democrats were on the receiving end of a subpoena, but we never found out. As I said, just before the committee was supposed to vote, the chairman of the Judiciary Committee abruptly adjourned the meeting—I would like to think, because he finally had second thoughts about how dangerous and inappropriate this entire effort was. After all, the Senate Judiciary Committee has no business issuing subpoenas for private citizens under the guise of transparency.

There was no legitimate legislative purpose for conducting this witch hunt. Maybe our Democratic colleagues realized that Republican amendments were likely to pass, too, causing their partisan smear campaign to backfire. But the chairman claimed that it was just a matter of timing, and he has put the subpoena authorizations on the docket for the Judiciary Committee meeting tomorrow morning—Thursday, this week.

Democrats claim that the Justices are to blame for distrust and lack of confidence in the Court, but let's take a look at some facts. The Justices already file, like we do, annual financial disclosure reports. They recuse themselves, under their rules, from cases when it is inappropriate for them to sit. They go to great lengths to avoid even the appearance of impropriety. To assuage any remaining concerns about ethical standards, as I said, the Justices just adopted a code for the first time in history.

Meanwhile, Senate Democrats, who claim to care about public trust and confidence in the Court, are on the warpath. The Democratic leader, the majority leader of the U.S. Senate, stood on the steps of the Supreme Court just months ago and threatened two sitting Justices by name, saying they would pay the price and they didn't know what would hit them if they didn't reach his preferred decision in an abortion case—unbelievable.

A group of five Democratic Senators made a not-so-subtle threat to the Court, claiming it could be restructured if it didn't deliver the preferred outcome in a case involving the Second Amendment.

Fifteen Democratic Senators, including several members of the Judiciary Committee, recommended slashing the Supreme Court's budget if it failed to meet their demand to implement a new code of ethics that had the Democrats' stamp of approval on it.

And, now, the chairman of the Judiciary Committee wants to interrogate private citizens over their personal finances, something he claims is imperative to restoring trust in the Supreme Court.

Well, it is pretty clear that the so-called ethics crisis in the Supreme Court isn't really about ethics at all. It is about exerting control and domination over a separate, coequal branch of government, as the Constitution itself provides. So it is time for the Judiciary Committee to abandon its partisan charade and focus on the actual crises facing our country.

While the chairman spends valuable time—limited time—dealing with this made-up controversy, we have seen nearly 2.5 million border crossings in the past year. We are losing 70,000 Americans a year to fentanyl poisoning. The Biden administration has also lost track of hundreds of thousands of migrant children.

You would think that would be a matter of some urgency to the Judiciary Committee, and its chairman, that has jurisdiction over those matters. But these aren't problems that have earned the time and attention of the Judiciary Committee. Rather, it has chosen partisan attacks on the independence of the Supreme Court.

I urge my colleagues to abandon their partisan attacks on the Supreme Court and to get back to doing the work of the American people, and a good place to start would be at the southern border.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

The Senator from Nebraska.

STOP EV FREELOADING ACT

Mrs. FISCHER. As Americans in 2023, there is plenty that we disagree on, but, last week, USA Today released a new study on something we can all agree to hate—potholes. The study ranked all 50 States based on how many potholes covered their roads. It also included that the average car repair after a tussle with a pothole costs over $400.

That is a lot of money for Americans to pay unexpectedly after a road incident, and, unfortunately, our pothole problem is about to get much worse.

For the past 67 years, the Highway Trust Fund has largely funded road maintenance across our Nation. The fund repairs wear and tear from vehicles that travel our highways. That is critical for our roads, for our infrastructure, and for our transportation.

But the Highway Trust Fund is running on empty. It is projected to run out of money in the next few years. The insolvency of the fund would necessitate a total restructuring of our highway repair system, and it would throw our national infrastructure under the bus.

So how do we prevent this from happening? The main source of revenue for the fund is the Federal gas tax, which is a user fee. The money that drivers pay in taxes when they fill up with gas automatically goes toward road construction. But as a smaller percentage of vehicles fill up with gas, a smaller amount of money goes into the Highway Trust Fund.

The use of electric vehicles, or EVs, has shot up over the last several years, and, of course, EVs don't use gas. Since they don't fill up with gas, they don't pay the gas tax, and they don't pay into the Highway Trust Fund.

As more EVs have been adopted, the fund has become more unstable. It is not receiving the same revenue as it used to. According to Deloitte, U.S. adoption of EVs will increase to 30 percent of new car sales by 2030. So that is 30 percent of new car drivers not paying into the Highway Trust Fund.

But if anyone should be paying into Federal road repair, it should be EV users. EVs can be up to three times heavier than gas-powered cars, due to their large batteries. This significant weight puts extra stress onto our roads. It pulverizes the road bed, causing more maintenance, more upgrades, and more costs.

The Highway Trust Fund exists to fix exactly the type of damage that these heavy EVs can cause. So it is only fair that all highway users, both gas-powered and electric vehicles, pay into that fund.

My recent bill, the Stop EV Freeloading Act would fix this discrepancy. This new legislation would require EVs to contribute to the Highway Trust Fund through a two-tier fee structure. The first tier corresponds to the Federal gas tax. Under my bill, buyers would pay a one-time $1,000 fee on EVs at the point of sale. That money would contribute to the highway trust fund. This $1,000 fee equals the average amount consumers currently contribute to the fund from gas taxes over 10 years. Ten years is the average lifespan of an EV battery. This fee would tax EVs the same amount once that gas-powered cars pay over the lifespan of an EV battery.

The second tier corresponds to the heavy-vehicle use tax, which also contributes to the highway trust fund. Under my legislation, manufacturers would pay a one-time fee of $550 on each EV battery module with a weight greater than 1,000 pounds. The average EV battery weight is a little less than 1,000 pounds, so taxing those heavier than average would ensure that the highway trust fund has enough money to cover any damage these vehicles inflict on highways. The $550 tax is comparable to the fees imposed on heavy trucks because of the additional stress they cause to roads and bridges.

The current structure of the highway trust fund doesn't account for damage EVs can and do cause to our roads, and it is only fair that EVs and gas-powered vehicles pay those same fees. Both types of vehicles should contribute to the fund for the vital repairs and maintenance we need.

Ultimately the changes included in the Stop EV Freeloading Act would help the fund escape its impending insolvency. Right now, the highway trust fund is losing to the EV industry, and that means our roads are going to lose to heavy electric vehicles. When our infrastructure starts deteriorating, the American people are going to pay the price. My bill would stop that from happening.

Let's put gas-powered vehicles and electric vehicles on a level playing field. That is the only way we would all win.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

JUDICIAL CONFIRMATIONS

Mr. PADILLA. Mr. President, I rise today to celebrate a historic milestone for this body and for our country. Last week, as many people know, we confirmed the 150th Federal judge nominated by President Biden and the 100th woman nominated to the Federal Bench, all in just the first 3 years of the Biden Presidency.

More women have been confirmed to the Federal Bench under President Biden than under any President in the history of our country in their first term. It is a testament to the seriousness with which President Biden and Senate Democrats have taken to not only our role in strengthening the Federal judiciary with highly qualified candidates, but to do so while building the Federal Bench to better reflect the diverse nation that it serves.

Today, I want to take a moment to recognize three women recently confirmed by the Senate who I am confident will now serve with distinction.

First, last week, the Senate confirmed Judge Kenly Kiya Kato to serve on the U.S. District Court for the Central District of California. Judge Kato was born and raised in Los Angeles. She earned her undergraduate degree from UCLA and her J.D. from Harvard Law School.

One of her earliest jobs out of law school was in the Central District Federal Public Defender's Office, where she represented hundreds of clients at the district and circuit court level, helping to realize the constitutional right to counsel regardless of income.

After nearly two decades of work in California, in 2014, she was appointed to be Federal magistrate judge.

As the daughter of Japanese-Americans who were interned during World War II, Judge Kato understands personally the importance of equal justice under the law. Time and again, she has demonstrated her commitment to equal justice as a magistrate judge—a commitment I am confident she will now continue on the U.S. District Court for the Central District.

Last week, we also confirmed Monica Ramirez Almadani to the U.S. District Court for the Central District. Born in Los Angeles as the proud daughter of immigrants from Mexico, Ms. Ramirez Almadani is a product of the Los Angeles Unified School District. She went on to earn her A.B. from Harvard University and her J.D. from Stanford Law School.

From the ACLU's Immigrants' Rights Project to the Immigrants Rights Clinic at the U.C. Irvine School of Law, from the California Department of Justice to the U.S. Department of Justice, throughout her career, she has gathered extensive experience across a wide spectrum of civil and criminal law.

Since 2021, she served as president and CEO of Public Counsel, the largest provider of pro bono legal services in the country.

Whether defending low-income immigrant clients or in her capacity representing the U.S. Government at the Department of Justice, she has consistently demonstrated an unwavering commitment to the rule of law.

And now I am confident that she will serve the people of the Central District of the U.S. District Court with distinction.

Finally, I celebrate Monday's confirmation of Judge Ana de Alba to the Ninth Circuit Court of Appeals.

The daughter of immigrants from Mexico, Judge de Alba grew up in a family of farmworkers. A first-generation high school graduate, she went on to earn her bachelor's degree and her J.D. from the University of California Berkeley.

After graduating, she built a successful career in private practice in the Central Valley where she focused on complex commercial litigation and maintains a robust pro bono practice. She also went on to establish a workers' rights clinic for low-wage workers to learn their rights and to seek legal advice.

In 2018, Judge de Alba was appointed to serve as a superior court judge for Fresno County, where she served until 2022.

I was proud to come to the floor in June of last year to urge my colleagues to confirm her nomination to the U.S. District Court for the Eastern District of California, which we did on a bipartisan basis.

In the time since then, Judge de Alba has more than proven herself to be a qualified jurist, and she is exactly the public servant Americans deserve on the Ninth Circuit Court of Appeals.

Mr. President, every Member of this body accepts a considerable responsibility when we enter office to advise and ultimately recommend to the President nominees who will make up our Federal judiciary. As a former ranking member of the Senate Judiciary Committee, no one took that responsibility more seriously than our late colleague Senator Feinstein. I had the great fortune of working alongside Senator Feinstein to recommend to President Biden some of the nominees that we confirmed this past week. And today, these three women, these nominees that round out the 150th confirmation of the Biden Presidency, are just as much her accomplishments as they are ours.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

SCHOOL CHOICE

Mr. KENNEDY. Mr. President, I want to talk for a few minutes today about elementary and secondary education, more specifically about school choice. School choice is inextricably related, in my opinion, to social justice. Put another way, I just don't understand how one can be a fairminded person and believe in social justice but not support school choice.

In Congress, of course, we seem to face a new crisis every week, and while we need to respond to them, I think it is important that we not lose sight of what I call the foundational issues that ensure that our country is free and democratic and aspirational and prosperous for our children and our grandchildren. One of those issues, one of those foundational issues, is education.

Right now, the American people are focused on the border, which is an open, bleeding wound; they are focused on inflation; they are focused on crime; they are focused on turmoil abroad. I don't blame them, as we need to be focused on those things, but while we focus on those things, it is a fact that the quality of our students' elementary and secondary education has been steadily slipping, steadily slipping. And it is clarion clear. Unless you have been living in your parent's basement, it is clarion clear that the status quo of education in America isn't setting our kids or our country up for success. I take no joy in saying that, but sometimes you can't look reality in the eye and deny it; you have to admit it.

Here are a few examples of how America's and Louisiana's pre-K to 12 students are falling behind. The numbers are the numbers: Math and reading scores among American 13-year-olds are at their lowest levels in decades. That is not my opinion. That is according to the National Assessment of Educational Progress. As the Presiding Officer knows, that is a study done annually, known as ''The Nation's Report Card.'' On ''The Nation's Report Card,'' just 35 percent of American fourth graders—35 percent—are proficient in math. Only 32 percent of American fourth graders are proficient in reading.

American students are slipping globally as well. In 2008, the IMD World Competitiveness Center ranked American students first in the world. By 2023, the United States had slipped to 10th overall. In science, American students ranked 11th. In math, American students ranked 30th.

In Louisiana, I regret to say that roughly half of my students in Louisiana in grades K through 3 are not reading at the grade level—half. Only one-third of my kids in grades 3 through 12 are at grade level in the four subjects that the Louisiana Educational Assessment Program—we call it LEAP—tests. In fact, we have, in Louisiana, 24 school systems—24—in which fewer than a quarter of our students—fewer than a quarter—have proficient LEAP exam scores.

Now, I have said this before on the Senate floor, and I am going to say it again: The American people can do extraordinary things. We can unravel the human genome; we can take a diseased human heart and replace it with a new one and make it beat; we can send a person to the Moon. But we can't seem to figure out how to teach our children how to read and how to write and how to do math when we have 18 years to do it. And there is no excuse because all children can learn.

I know it is complicated, and there are a multitude of reasons why our children may be struggling. For over 15 years, I have been a volunteer substitute teacher in our public schools. I went to a public school. In Louisiana, we need substitutes so badly that they will even take politicians. I try to do it three times a year—sometimes more, sometimes less. Every time, I learn, but I am always reminded every time I substitute teach of the fact that it is much, much harder today to be a teacher than when I was in a public school and that it is also much, much harder today to be a kid. So I have some understanding of the challenge.

The evidence is also clear now that closing schools during the pandemic made matters a lot worse. We in America made a mistake. Some States did better than others, but most of them got it wrong. But, you know, we can't keep blaming things on the pandemic. It has been a few years since our schools reopened, and our scores are nowhere near where they need to be. The truth is that pre-K to 12 education in America and in Louisiana was in trouble well before the pandemic, and we all know that. Yet leaders in many States remain hesitant, to say the least, to change anything—anything—about our public school system.

We have all heard the famous definition of ''insanity.'' The definition of ''insanity'' is doing the same thing over and over again and expecting to get a different result. It is a cliche. Cliches become cliches because they are true. We need to follow the law of holes: When you are in one, stop digging. When you are in one, stop digging. We need to stop making excuses about pre-K through 12 education; and we need to stop doing things that don't work and then doing them again. You can't expect to fix a broken status quo—to magically fix it—and to magically fix our broken schools and equip struggling students if you keep doing the same thing.

The fact—the unhappy fact, the miserable fact—is that too many of our schools in America and in Louisiana are failure factories—they are failure factories—where violence is common and learning is rare.

But there are a few States that are bucking the status quo, and they are doing it in part by adopting school choice programs. So far, they have seen a lot of success.

School choice programs—''school choice,'' I realize it is a broad term—school choice programs can take many different shapes, but they all boil down to one thing, one foundational principle: Parents should be allowed to take their kids out of failing schools. Parents should be allowed to take their children out of failing schools and put them in schools that can help those children thrive and certainly do better. It is not complicated.

You know, American parents today, they can go to the grocery store, and they can choose from 40 different—maybe more but certainly 40 different breakfast cereals to feed their child in the morning, but in many States, those parents have absolutely no control over which school their child can attend.

Children are stuck in schools, too many of them assigned by their parents' ZIP Code, and there is little that most parents—too many parents—can do to change that even though it is

patently absurd to force children to attend failing schools when parents could enroll those kids and invest the money that pays for their education in better schools. That is where school choice comes in.

In practice, schools facilitate, they implement school choice by tweaking how they fund school systems.

For those of you who are unfamiliar with school funding schemes, most public schools have three main sources of funding: Federal dollars, State dollars, and local dollars. The exact breakdown of that money varies by State and by school system. In Louisiana, for example, the average school district gets about 11 percent of its money from Federal funding, 44 percent of its money from the State, and another 45 percent from local government, so 11, 44, and 45.

Local dollars typically stay with the school system in a particular town or parish. We call our counties parishes. But officials, public officials in Louisiana, have the right and the ability to allocate those State and Federal dollars the way they want to.

When States adopt school choice policies—here is how it works—parents typically get to decide which school will receive their child's share of State and Federal funding. The local dollars stay local, but parents can redirect the Federal and the State money.

There are two ways in which States that implement school choice reallocate that money, the Federal and the State dollars. The first is education savings account, and the second is—you have heard of it—vouchers.

Education savings accounts are government-funded savings accounts that take all or a portion of the Federal and State dollars allocated to each student and give it to parents to use for their kid's education. Parents can use the money a multitude of ways. They can use the money to pay for tutors, to purchase textbooks for homeschooling. Parents can use the State and Federal money to subsidize private school tuition. If a student and a parent have money left over when the student graduates from high school, that student can even use the funding to help pay for college. It is called an education savings account.

Other States use a voucher system. Under a voucher system, parents typically do not receive money directly. Instead, they get to choose. They tell the school system which school their child is going to go to and tell the school system to send the Federal and State money to that school. So the money follows the children. The parents can take that voucher to a traditional public school. The parents can take that voucher to a private school to pay private school tuition. The parents can take that voucher to enroll the kids in a charter school they would like.

Charter schools, as you know, are tuition-free, publicly funded schools that operate independent of the State. Rather than taking marching orders from the government, charter schools are able to design their own curriculum and their own standards to help meet the needs of each student.

So whether it is through vouchers or education savings accounts, States that have embraced school choice have steadily climbed the ranks as the best States in this country for elementary and secondary education. That is just a fact. Look it up.

Take Florida for example. Florida has had school choice for a long time—decades. It is not mandatory, but it is an option. A lot of parents love that option, and they use it. Graduation rates in Florida have steadily increased year after year after year. Florida's fourth graders rank third in the country in reading and they rank fourth in the country in math according to ''The Nation's Report Card.'' Other pro-school-choice States, including Iowa, North Dakota, and Utah, to mention a few, have all landed in the top 10 States on ''The Nation's Report Card.''

School choice works.

Even States that have traditionally struggled with respect to education are seeing improvements. Take Louisiana's neighbor, Mississippi. Mississippi overhauled its pre-K to 12 system in 2013 to help parents get their kids out of failing schools. The State implemented a voucher program for kids with dyslexia and low-income students to ensure that parents could find a successful school that would meet their children's needs.

Mississippi also implemented a law requiring schools to hold back students who cannot read at grade level in the third grade and give them additional instruction. In other words, if you are in the third grade and after several chances, you can't read at grade level, you are not socially promoted to grade 4. You are kept in the third grade until you can read, because kids drop out of high school in the third and fourth grade. If they can't read, they have no chance.

Since Mississippi did all of this in 2013, Mississippi has jumped from 50th in education to 35th. In 2023, student achievement levels reached an alltime high in Mississippi. Graduation rates climbed from 75 percent in 2011 to 87 percent by 2020—well above the national average. Mississippi managed all of this growth—all of this growth—while spending less money per student than all but four States. It is not just money; it is how you spend it.

This year, we are doing better in Louisiana. This year, Louisiana followed the lead of Mississippi, and we passed a law called HB12—I have talked about it on the floor—to ensure that all third grade students can read at grade level before they can move on to the fourth grade. Fortunately—and I thank him for doing it—Governor John Bel Edwards did not veto the bill. I was afraid he would. He signed it into law, and I want to thank him for that.

But when it comes to school choice, Governor Edwards has opposed it at every turn—every turn. He blocked two bills last year that would have established voucher programs for my kids in Louisiana. If those two bills had passed, parents of students with special needs or students who could not read at grade level by the third grade could have taken their State money, the State-funded education dollars—not the local, the State dollars—to a different school that could better address those children's needs. But the Governor opposed the bills, and they didn't make it.

Those bills would have provided a lifeline to parents—a lifeline to parents—who were desperate and still are desperate to help their children succeed in school, but Governor Edwards opposed it. He opposed allowing these parents to find better alternatives for their children.

The good news is that Louisiana is about to have a new Governor, and the good news is that Louisiana is about to have a brandnew legislature. I can't speak for our new Governor, but I know our legislators. I have supported many of them. We made some wholesale changes. I hope my friends in the Louisiana Legislature are anxious and eager and enthusiastic about giving parents, finally, the power to remove their children from failing schools.

Parents overwhelmingly support school choice. In Louisiana, 75 percent of parents with school-age kids support school choice. Nationwide, that number has gone from 64 percent in 2019 to 71 percent today.

So you are asking yourself, who can oppose school choice? Many—not all but many—teachers unions and many—not all—of the administrators in failing schools; the adults, not the kids—the adults. Our schools are supposed to be about our kids, not the adults. Many—not all but many—of our teachers unions worry that giving parents the choice to pick a different school will result in more students attending nonunion schools, such as charter schools. Many—not all, many—administrators in failing schools hate the idea that they will need to compete with other local schools to attract kids and earn the State and Federal dollars that follow those kids. It is called competition.

As I am sure you have noticed, both of these fears I just referenced for some—not all—of our teachers unions and our administrators focus on what is best for them and the school system and the adults, not on what is best for the parents and the kids.

Competition makes everybody better. Competition makes everybody better, and that is true of our schools too. The United States has a highly competitive higher education system, and in return, our universities are the best in the world. They are. I have been to a school in another country. It was a good school. But as a group, American universities are the best in all of human history. Now, they have some problems, as we all know about, but they are still the best in the world.

There is a reason that most wealthy and well-connected people around the world want to send their children to an American campus to get their degrees.

The excellence of American universities is driven by the fact that students can choose to go elsewhere if a university stops delivering a quality education. The students and their parents can vote with their feet.

It is called choice. It is about as American as you can get. And that same competition, that same choice, will help restore K through 12 schools to excellence as well. Americans don't need to watch the status quo fail their children. They don't. States throughout this country are empowering parents to take control of their kids' education, and the whole country stands to benefit from their leadership.

When it comes to education, now, I am an all-of-the-above guy. I don't care if it is public schools, charter schools, private schools, vouchers, savings accounts, or pixie dust. If it will help our kids learn better, I am for it. I don't care who gets mad. And that is why I am very optimistic about the leadership changes in Louisiana and the good news it could mean for our elementary and secondary education and for our parents and our children.

I am not saying that school choice alone is the silver bullet. We have other problems in Louisiana. We need to expand access to education programs for at-risk children from early age to age 4. We need to do a better job there.

We have a shortage of qualified teachers. We need to find out which of our teachers can teach and pay them like the professionals they are and find out which of our teachers can't teach and either teach them how or tell them to find a new line of work.

We have got too much truancy among our kids. Forty percent of our K through 8 schools grade A or B; but, somehow, magically, 70 percent of our high schools are graded A or B. We know that is not right. We have watered down our standards. Also, college costs for our kids and our parents have doubled in the last decade.

So we have other problems, but school choice will help. And I believe, as much as I am standing here, that America's future and Louisiana's future can be better than our present and it can be better than our past, but not if we don't improve our schools. And no one is coming to save our schools in Louisiana but ourselves. And with new leadership and school choice on the horizon, the future of elementary and secondary education in Louisiana can be and is, to me, promising.

So I end as I began. No fairminded person, in my opinion, can say he or she supports social justice if they don't support school choice.

I neglected to mention, Mr. President, that with me today are two of my colleagues from my office: Ms. Maddie Dibble and Mr. Christian Amy. I wanted to recognize them.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

REMEMBERING TED STEVENS

Ms. MURKOWSKI. Mr. President, on November 18 of 1923, a young couple living in Indianapolis, IN, George and Gertrude Stevens, welcomed their third child to the world, and they named him Theodore Fulton Stevens—''Ted,'' for short.

And like all new parents, I am sure that George and Gertrude were filled with hope and optimism about their boy's future: the things that he would do, the places that he would go, the life that he would have. But I suspect that even they didn't realize what an extraordinary life he would lead, a life of service and accomplishment during which he earned his place as a giant in the history of this Chamber and certainly in my State of Alaska.

So we are looking forward to the 100th anniversary of the birth of the late Senator Ted Stevens. This is coming up on Saturday. So I have come to the floor this afternoon to make sure that all of us who serve here and all who are listening know why it is important that we continue to remember and celebrate this truly great man.

Ted's service to our country began during World War II when he enlisted in the Army Air Corps as a pilot. He supported General Chennault's Flying Tigers in the China-Burma-India theater, flying missions over the Hump many, many times behind enemy lines.

After the war, Ted Stevens completed law school. He moved ''north to the future,'' to Alaska, where he served as a U.S. attorney in Fairbanks. It was just a few years later, during the Eisenhower administration, that he joined the Department of the Interior, where he served as Secretary Fred Seaton's right-hand man in the successful fight for Alaska's statehood. Then, after statehood, Ted was elected to the Alaska House of Representatives. That was 1964.

He was then appointed to the U.S. Senate in 1968. He would go on to win reelection to the Senate seven straight times, receiving almost 80 percent of the vote back in 2002. In all, he served his State and his country for a total of 40 years and 10 days as a Senator—pretty extraordinary.

And Ted was a pretty busy legislator. He chaired four different committees, including Appropriations. His colleagues chose him to be their minority whip, the majority whip, and the assistant Republican leader. He led the Senate's Arms Control Observer Group, the U.S.-China interparliamentary group, and he also spent several years as our President pro tempore.

Ted was, by all accounts, a very powerful legislator, but he used his power for a single purpose, and that was to help his country and to help his State. For him, it was pretty basic.

He helped us settle Aboriginal land claims and create Alaska Native corporations. He secured the authorization to build the Trans-Alaska Pipeline System, which remains, to this day, our State's economic backbone and provides for our energy security.

Ted was an outdoors guy. He loved fishing. He was able to write the framework that continues today to guide Federal fisheries management. That is the Magnuson-Stevens Act. He was a champion for national defense as well as international competitiveness, and he truly helped America become a superpower and, I believe, the economic envy of the world.

He helped to fund breast cancer research. He promoted women's participation in sports through title IX. It was incredible what he did for women's athletics and sports.

He also—very proudly and unabashedly; sometimes maybe even gleefully—brought home what I imagined to be billions of dollars. We are calling those now congressionally directed spending. It used to be earmarks back in the day. But they were specifically targeted to build basic infrastructure and to meet community needs across our still young and undeveloped State.

We have terminology in the Senate for those who have been around for a while who observed the traditions and the history of the Senate, but Ted was really an ''old bull'' in Senate parlance. He was a statesman. He was a patriot. He was a force to be reckoned with.

He was known to have just a little bit of a temper; although, I found that, oftentimes, that temper was just used for effect. He would don an Incredible Hulk tie just to show you all that he really meant business, and on those days when you saw him on the floor and he was wearing the tie, you would know maybe it was best to stay out of his way that day or, certainly, to be with him when he was fighting for Alaska's interests.

But as much as he was a fighter in that way, he was also one who worked across party lines. He legislated in the good old-fashioned way. He had a relationship with Senator Dan Inouye from Hawaii—often referred to him as his brother—and they led as a model, that duo of Alaska and Hawaii. They would rotate—literally rotate—on Appropriations being the senior appropriators. One Congress, one would be the chairman; the next Congress, majorities come and go. And there would be no daylight between the two of them. It was an extraordinary relationship built on respect and an understanding that you stand up and you fight for your State's needs.

Ted was one of those who really tried to let the politics stand down and just focus on what was good. He had a saying, and it is certainly one that has been emblazoned on many things that I have seen in these past couple of decades. But he would say:

To hell with politics. Just do what's right for Alaska.

And those are words that many of us still follow and that I think those in the Senate here would do well to live by: Do what is right for the people that have sent you here. Do what is right for your State.

I am so immensely fortunate to have worked with Ted. I was actually a high school intern for Ted Stevens when I graduated from high school—and then to have the privilege to serve alongside him, to have him as a mentor, a friend, a partner over the course of so many decades.

I have said and have been quoted in different articles about the role that Ted played in Alaska's history:

There is nothing that has happened in my lifetime, there is nothing that has happened since statehood, that Ted Stevens did not touch, that he did not build, did not create.

He had that much influence. There really was no one like him. He had a vision. He was determined to achieve it no matter who or what stood in the way.

He won medals for his distinguished military service. He was chosen as ''Alaskan of the Century.'' For the entire 20th century, we designated that honor, that respect for him, for his remarkable service in statehood and in the Senate.

Now, it is true that a Federal investigation and extreme prosecutorial misconduct tipped an election that prematurely ended Ted's time in public office. That type of debasement would cost many their faith in the institutions that they had served for so long. But not with Ted—not with Ted. He kept his faith in the institution, not only in the institution of the Senate but in the institution of the judiciary. He knew he was innocent and maintained that, and he was ultimately exonerated.

But he left a reminder with all of us when he gave his departure speech in 2008. He left the Senate saying that ''my future is in God's hands. Alaska's future is in yours.''

We actually have had buttons made up with Ted's smiling face—I believe it is exactly this picture—and it says:

Alaska's future is in your hands.

Believe me, I look at that every single day. I take it very seriously.

We tragically lost Ted in a plane crash, just 2 years later, after he left office. This was August of 2010. It is still really hard for me to believe that he has been gone for 13 years. But, in so many ways, he is still with us; he is still around.

I see it in my office. I have the same office in the Hart building that he had. The same totem pole that he had in his office is now in my office. I visit his portrait here in the Capitol right outside that door there and visit his grave in Arlington National Cemetery.

At the Ted Stevens Anchorage International Airport, which I am flying in and out of just about every week, it seems there is a statue that sits in kind of a main open area, and it is life size, with Ted sitting there with a briefcase at his feet and just kind of talking extemporaneously. And I walk by and give that hand a little squeeze every time I leave to go somewhere.

I certainly continue to pay my respects, but I often think about how Ted would face the issues that we confront today—not only the issues but how we are confronting them as legislators and lawmakers.

I mentioned Ted's legendary temper. And, understand that we all have different ways that we can respond and react, but, in fairness, I think that Ted would be very discouraged by what he is seeing with the politicization, the disrespect, I think, that sometimes we see with whether it is name-calling or just not treating one another with the level of decorum that the office demands.

As I say, he was an institutionalist. He believed in this institution, as I do, and I think he recognized that if we don't show respect for others, for one another, how can we expect that that respect will be reciprocated from others who are observing us?

Ted sometimes referenced the ''pace of forgetting.'' It was his recognition that times change, people come and go, and how things happened or why they mattered isn't always recorded. Only 26 out of the 100 Members of the current Senate—barely over a quarter of this Chamber—ever had the privilege of serving alongside him. But, while Ted may be gone, he is certainly not forgotten. You don't forget legends like Ted Stevens, not here in the institution that he loved, and, certainly, not back home in Alaska.

We remember ''Uncle Ted''—that is what we still call him—Senator Ted Stevens. We miss him. But as we near his 100th birthday, we will celebrate him. We honor his service and thank him for his life of dedicated work on our behalf.

And just a couple of days from now, on Saturday, November 18, I would encourage everyone to just stop for just a second and think about the contributions of great leaders like Ted Stevens. Certainly, I am going to be standing by to wish this great man a happy 100th birthday and to count the blessings he left behind.

Mr. President, I ask unanimous consent to have printed in the RECORD, following my remarks, a really great editorial from the Anchorage Daily News, which was published on Sunday, November 12, about Senator Steven's birthday.

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

[From the Anchorage Daily News, Nov. 12, 2023]

THE MAN WHO RESHAPED ALASKA

(By the Editorial Board)

As we approach the 100-year anniversary of former U.S. Sen. Ted Stevens' birth on Nov. 18, the magnitude of change he wrought in Alaska has only become more important since his death. There are certainly others who were instrumental in making our state what it is today—for example, former Gov. Jay Hammond for the creation of the Permanent Fund and its ensuing dividend; ''Mr. Alaska'' Bob Bartlett, whose advocacy for statehood as a territorial delegate and later career as senator put the Last Frontier on the map in Washington, D.C.; Elizabeth Peratrovich, who championed civil rights for Alaska Native people and played a major role in ensuring the territorial Legislature's passage of the Equal Rights Act of 1945. But when it comes to the breadth, pervasiveness and longevity of his legislative accomplishments, it's hard to argue that anyone else has had as great an impact on Alaska as Ted Stevens.

Although he became notorious on the Beltway for his unashamed embrace of pork barrel projects that benefited Alaska, Stevens had a formative role in almost every major federal law relating to the state. The Alaska Native Claims Settlement Act. The Trans-Alaska Pipeline Authorization Act. The creation of Title IX, which sought to ensure parity in sports opportunities between women and men—as well as several revisions that expanded or restored Title IX tenets after attempts to curtail them. The Amateur Sports Act of 1978, which established the U.S. Olympic Committee and laid the groundwork for the U.S. athletic powerhouse of today. The Alaska National Interest Lands Conservation Act. And the Magnuson-Stevens Fishery Conservation and Management Act that governs fishing in U.S. federal waters. Those are just the topmost highlights of Stevens' four-decade career in the U.S. Senate.

And, of course, Stevens' reputation for bringing home the bacon to Alaska was well-earned. As with his legislative accomplishments, the list of projects Stevens funded in Alaska is far too long to enumerate. Just in Anchorage, everything from port funds, trail system expansion, social services at Covenant House and Bean's Cafe, the creation of the Alaska Native Heritage Center, the Potter Marsh Conservation Center, the expansion of the Alaska Zoo, the Anchorage Museum, Ben Boeke Arena and Hilltop Ski Area, the Alaska Botanical Garden and the Eagle River Nature Center—all benefited from funds Stevens allocated. As Sen. Lisa Murkowski said, ''There is nothing that has happened in my lifetime, there is nothing that has happened since statehood, that Ted Stevens did not touch, that he did not build, did not create.

Stevens was upfront about his (usually successful) quest to fund Alaska infrastructure at levels well above the per-capita funding flowing to other U.S. states. His rationale was that as a state that entered the Union more than a century after the vast majority of the others, Alaska had a lot of catching up to do in bringing its federally funded development up to parity with the rest of the country. And while watchdog groups and legislators from other states chafed at the allocation of funds to a state few of them valued, Stevens' perspective makes good sense to most anyone who has ever been here for any length of time and seen what Alaska has and doesn't.

Stevens' legacy, like most major figures in Washington, D.C., was not unblemished. He ultimately lost his Senate seat after a jury found him guilty of making false statements related to his financial dealings. That verdict was ultimately tossed and the case vacated after a special investigation by then-Attorney General Eric Holder, who was shocked by the degree of prosecutorial misconduct in the case. In hindsight, it's clear that he shouldn't have been charged, much less convicted. But the damage had been done to Stevens' political prospects, and his

closeness to disgraced oilfield services executive Bill Allen surely lost him votes and colored Alaskans' perceptions of their larger-than-life U.S. senator.

Ultimately, however, it is the work Stevens did in the Capitol that has gone on to define him since his death in a 2010 plane crash. And the through-line of that work was a style of politics that is now almost entirely absent in Washington, D.C., today: A willingness to put partisan differences aside in service of the work being done, for our state and the country. ''To hell with politics, just do what's right for Alaska,'' was Stevens' mantra. If we could return to that way of thinking in Juneau and Washington, D.C., we would all be better for it.

RECESS

Ms. MURKOWSKI. With that, I ask unanimous consent that the Senate stand in recess until 2 p.m.

There being no objection, the Senate, at 1:06 p.m. recessed until 2 p.m. and reassembled when called to order by the Presiding Officer (Ms. ROSEN).

FURTHER CONTINUING APPROPRIATIONS AND OTHER EXTENSION ACT, 2024—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. The Senator from Louisiana.

STUDENT LOANS

Mr. CASSIDY. Madam President, the Senate will soon vote on the Congressional Review Act, a resolution of disapproval to overturn President Biden's newest student loan scheme.

Just like President Biden's original student debt cancellation scheme, this IDR does not forgive debt. It transfers the burden of $559 billion in Federal student loans to the 87 percent of Americans who don't have student loans, who chose not to go to college, or who already responsibly paid off their debts.

I want to emphasize this point. There is much said in this Chamber about those who do less well and the implication that a policy like this would benefit those who do less well. This benefits folks—couples—who make over $400,000. They went to college precisely to get a degree to earn more money, and many of them are earning more money. And this forgives—no, it doesn't forgive their debt. It transfers their debt to someone who never went; someone—he and his wife, she and her husband who are making $65,000 a year. They are going to have to pick up the slack for a couple making over $400,000.

This is not a benefit for those who are less well-off. This is a benefit—a political payout—to folks who have done quite well precisely because they went to college.

Under this rule, a majority of bachelor's degree student loan borrowers will not be expected to pay back even the principal. Ninety-one percent of new student loan debt will be eligible for reduced payments subsidized by the taxpayers. Where is the forgiveness for the guy who didn't go to college but is working to pay off the loan on a truck he takes to work? What about the woman who paid off her student loans and bought a less expensive home but is now struggling to afford the mortgage that she has? Is the administration providing them relief? No, of course not. Instead, the administration would have them not only pay their bills but the bills of those who decided to go to college in order to make more money or who made a decision not to pay back their student loans so they could buy a bigger house.

This is irresponsible. It is deeply unfair.

Aside from being unfair, this student loan cancellation scheme does not address the root cause that created the debt in the first place. For example, President Biden's policy does not hold colleges or universities accountable for rising costs. In the last 30 years, tuitions and fees have jumped at private nonprofit colleges—nonprofit colleges—by 80 percent. At public 4-year institutions, they jumped 124 percent.

College is one of the largest financial investments many Americans make, but there is little information for the student and her family to know that they are making the right decision for where they are attending or the amount they are borrowing. So my Republican colleagues and I recently introduced the Lowering Education Cost and Debt Act, a package of five bills aimed at directly addressing the issues driving skyrocketing costs of higher education and the increasing amounts of debts students take on to attend school.

By the way, some of these bills are by themselves. It is in a package, but you divide them out. Some of them are bipartisan in support and in sponsorship.

Our legislation puts downward pressure on tuition, empowers students to make the educational decisions that put them on track to succeed both academically and financially. We are providing solutions for students and working to solve the student debt crisis—not a bandaid that merely transfers the debt to someone else, someone who is oftentimes poor, less financially well-off, than the person who no longer has the responsibility to pay back the loan.

President Biden's student loan scheme is not a fix. It appears to be a politically motivated giveaway, forcing taxpayers to shoulder the responsibility of paying off someone else's debt. We need real leadership to address the issue.

I close by encouraging all my colleagues to join me in voting to pass this Congressional Review Act resolution to prevent this unfair student debt cancellation scheme—unfair to the hundreds of millions of Americans who will bear the burden of paying off hundreds of billions of dollars of someone else's student loan, a student loan they took to make more money than almost all of those other people.

I yield the floor.

Mr. CRAPO. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. SANDERS. Madam President, I rise in strong opposition to S. Res. 43 that we will be voting on today.

The reason for that is that we have to be very clear as to what is happening in America right now. Today, while the very wealthiest people in our country are becoming much wealthier, over 60 percent of Americans are living paycheck-to-paycheck, and many are working for starvation wages and under really bad working conditions.

In America today, while CEOs are making nearly 350 times as much as their average workers, tens of millions of our people in every State in this country are struggling to pay the rent, to pay for the childcare they need, to pay for healthcare, to pay for prescription drugs, and to put food on the table.

That is the reality of America today. And while that is true for people of all ages, it is especially true for our younger people, who, by the way, if we don't change the nature of our economy soon, will have, for the first time in the modern history of America, a lower standard of living than their parents.

If we lived in a nation with a rational set of priorities, we would not be giving more tax breaks to billionaires and large corporations, as many of my Republican colleagues want—not at a time when we have more income and wealth inequality than we have ever had; we would not be spending, in my view, $900 billion on the military while the military-industrial complex makes huge profits and has cost overruns and while the Pentagon is not even audited.

What we would be doing, in fact, if we had a rational set of priorities, like a number of other countries around the world are doing, is to understand that the future of our country rests with the young people in America. That is where our future is.

Once we understand that, we would be doing everything possible to make sure every young person in this country, regardless of income, receives the best quality education our Nation can provide. That is what we would be doing if we wanted this country to succeed.

Our goal must be to make sure that we have the best educated workforce in the world in a highly competitive global economy. I would point out that that is not only important for individuals, for the young people themselves, it is vital for the future of our country.

Everybody understands that if you have a poorly armed and poorly trained military, they don't win battles. Well,

if you have a poorly educated population in a radically changing world economy, depending more and more on technology—if you don't have a well-educated workforce, our economy is not going to succeed in this global economy.

In 1990, the United States led the world in terms of the percentage of young people between the ages of 25 and 34 with college degrees. We led the world in 1990. Today, we are in 15th place—not No. 1, not No. 5, not No. 10. We are in 15th place behind countries like South Korea, Canada, Ireland, Australia, the Netherlands, and Belgium. Fifteenth place for the richest country on Earth should not be the place we are in if we are concerned about the future of this country and the need for a well-educated population.

Over 40 years ago, a Federal Pell grant paid for over 80 percent of tuition, fees, and room and board at a 4-year public college, but today, because of massive cutbacks in education, Pell grants cover less than a third of those expenses. Forty years ago, it covered 80 percent; today, less than a third. That is a major reason why more than 45 million Americans are drowning in over $1.7 trillion in student debt.

I am sure it is true in Nevada, and I am sure it is true in Vermont, and I am sure it is true in Louisiana. We have hundreds of thousands of bright young people who have the ability to get a college degree or to get a good trade certificate, but they cannot afford to do so. How absurd is that?

If we love this country and we are concerned about the future, to say to young people ''You are bright, you are smart, you did well in high school, but you come from a lower income family. Too bad you can't afford to go out and become a teacher or a doctor or an engineer. Too bad''—I think that is absurd.

Let's be clear. We don't just need more 4-year college graduates; we need more welders and electricians and plumbers and pipefitters and carpenters and electricians. Amazingly enough, as the Presiding Officer well knows, this Congress passed a record-breaking amount of money to rebuild our crumbling infrastructure. That is the good news. I think almost everybody is proud of that. The bad news is, we don't have the workers to do the work, to build the bridges and the sewer systems we need and the water plants. We spend huge amounts of money on dealing with the existential threat of climate change, but we don't have the workers to help us with solar and wind and other forms of sustainable energy.

In my view—and obviously I speak only for myself, not the President—my view is that if we had a rational set of priorities in this country, rather than worrying about tax breaks for billionaires and for Wall Street, what we would do is make all public colleges and universities in this country tuition-free and cancel all student debt. That is what I think we should do that would be rational.

A hundred years ago, people thought and said, you know what, it is unfair that working-class kids can't go to high school. They are working in factories. They are working on farms and working in the fields. People thought and said, you know what, we need to make public education free. And they did it. So, today, any kid in America in any State in America can walk into a public school—doesn't matter whether you are rich or poor—you get the best education that system can provide.

The world has changed over 100 years, and what was good 100 years ago or 50 years ago in terms of a high school degree has changed, and we need, in my view, to make public colleges and universities tuition-free.

By the way, what we are seeing all over the country, in this State and that State and this city, is a movement in that direction. I applaud all those public officials around the country whose States and cities are moving in that direction—making community colleges tuition-free, public colleges tuition-free.

But what I would like to see happen is not what the President's plan is about—not at all. But this is what the President's plan does do: It cuts student loan payments in half for Americans who have taken out undergraduate loans. In fact, under the President's SAVE Plan, student loan borrowers will be seeing their monthly payments reduced from 10 percent of their income down to just 5 percent.

Further, the President's plan eliminates monthly student loan payments entirely for people who are earning less than $15 an hour, and it gives student loan borrowers the ability to wipe out or to substantially reduce their student loan debt over a 10-year period.

If Senator CASSIDY's resolution is enacted, it would repeal President Biden's plan, and it would eliminate student debt relief for more than 5 million Americans who desperately need it. That would be absolutely unacceptable.

My Republican colleagues tell you that they want to repeal the President's student loan plan because it costs too much money; we just can't afford it. Well, I am not going to deny that it does cost a lot of money. But what I find amusing is that when we are saying we need to help working-class and lower income young people, what my Republican colleagues say is ''We can't afford to do that, but what we can do is vote to give away over $1 trillion in tax breaks to the top 1 percent and large corporations'' when former President Trump was in office—without paying for it.

We can't help young people with their student debt, but we can give tax breaks to the richest people in this country and large, profitable corporations.

So if we can afford to provide trillions of dollars in tax breaks and corporate welfare to the wealthiest people in this country and to the largest corporations, we can help out millions and millions of young people in this country.

I have talked to young people who say: You know what, we can't afford to get a home of our own. We can't afford to even buy a car. We were thinking about having kids; we can't even afford to do that.

So I think we have to get our priorities right and understand that a vote for this resolution would deny student debt relief to millions of Americans across every State and across every congressional district. A vote for this resolution would place millions of Americans at risk of eventual delinquency and default on their student loans. We cannot allow that to happen.

I urge my colleagues to vote against this resolution.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

PROVIDING FOR CONGRESSIONAL DISAPPROVAL UNDER CHAPTER 8 OF TITLE 5, UNITED STATES CODE, OF THE RULE SUBMITTED BY THE DEPARTMENT OF EDUCATION RELATING TO ''IMPROVING INCOME DRIVEN REPAYMENT FOR THE WILLIAM D. FORD FEDERAL DIRECT LOAN PROGRAM AND THE FEDERAL FAMILY EDUCATION LOAN (FFEL) PROGRAM''

Mr. CASSSIDY. I move to proceed to S.J. Res. 43.

The PRESIDING OFFICER. Under the previous order, the motion to proceed is agreed to.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the joint resolution.

The senior assistant legislative clerk read as follows:

A joint resolution (S.J. Res. 43) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Education relating to ''Improving Income Driven Repayment for the William D. Ford Federal Direct Loan Program and the Federal Family Education Loan (FFEL) Program''.

Mr. CASSIDY. Madam President, I ask for consent that the vote begin now.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The joint resolution was ordered to be engrossed for a third reading and was read the third time.

VOTE ON S.J. RES. 43

The PRESIDING OFFICER. The joint resolution having been read the third time, the question is, Shall the joint resolution pass?

Mr. CASSIDY. 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 Senator is necessarily absent: the Senator from South Carolina (Mr. SCOTT).

The result was announced—yeas 49, nays 50, as follows:

[Rollcall Vote No. 310 Leg.]

YEAS—49

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

NAYS—50

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

NOT VOTING—1

Scott (SC)

The joint resolution (S.J. Res. 43) was rejected.

(Ms. BALDWIN assumed the Chair.)

(Ms. BUTLER assumed the Chair.)

(Ms. CORTEZ MASTO assumed the Chair.)

(Mr. OSSOFF assumed the Chair.)

(Ms. HASSAN assumed the Chair.)

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

Mr. SCHUMER. Mr. President, we reached an agreement here, which I will get to in a second. I just want to say a brief word about the vote that just happened.

I am very glad that this CRA was defeated. There are millions of students—poor, working class, some middle class, almost none wealthy—who benefit from what the President has done. The very poor people, they don't have to pay student loans. For most of the rest who are working class and middle class, they pay about half of what they did. It really is a change to help our young people. It is a good thing. It is a good thing.

I want to say that I am very glad that this Chamber had the good sense to defeat it, because I don't understand my colleagues on the other side of the aisle who believe in ''we can cut taxes for the very wealthy and decrease the deficit, but not help students with the big loan burdens on their shoulders.'' But that is how it is.

President Biden has been really careful about doing this. I believe it will be approved in the courts.

And, now, the 25.5 million students who have benefited from this and millions more will continue. So this is a real victory for our young people and for the future of America, so kids can afford to go to college and then have decent lives, not burdened by huge amounts of student debt after they graduate.

Now, the good news is—that was good news, at least in my opinion. This is probably good news in many of our opinions, on both sides of the aisle, that we have an agreement.

UNANIMOUS CONSENT AGREEMENT—H.R. 6363

Mr. President, I ask unanimous consent that the cloture motion with respect to the motion to proceed to Calendar No. 248, H.R. 6363, be withdrawn and that the motion to proceed be agreed to; further, that the only amendment in order to H.R. 6363 be the Paul amendment, No. 1366; that there be up to 15 minutes for debate equally divided; that upon the use or yielding back of the time, the Senate vote on or in relation to the amendment; that upon disposition of the amendment, there be up to 30 minutes for debate equally divided; that upon the use or yielding back of the time, the bill be considered read a third time and the Senate vote on passage of the bill as amended, if amended, with 60 affirmative votes required for passage, without further intervening action or debate, and with 2 minutes for debate equally divided prior to each vote.

UNANIMOUS CONSENT AGREEMENT—H.R. 2670

Mr. President, I also ask unanimous consent that following the disposition of H.R. 6363, the Chair lay before the Senate the message with respect to H.R. 2670, the National Defense Authorization Act, which was received from the House; that the leader or his designee then be recognized to make the compound motion under rule XXVIII; that the Senate insist upon its amendment, agree to the conference with the House, authorize the Presiding Officer to appoint conferees with the ratio of conferees being 13 to 12; further, that if the compound motion is agreed to, it be in order for the following Senators or their designees to offer motions to instruct, which are at the desk: KLOBUCHAR, RUBIO, HICKENLOOPER, BLACKBURN, LANKFORD, LUMMIS, CRAMER, MORAN, ERNST, HAGERTY, BRAUN, and MANCHIN; finally, that the Democratic conferees be Senators REED, SHAHEEN, GILLIBRAND, BLUMENTHAL, HIRONO, KAINE, KING, WARREN, PETERS, Manchin, DUCKWORTH, ROSEN, and KELLY; and that the Republican conferees be Senators WICKER, FISCHER, COTTON, ROUNDS, ERNST, SULLIVAN, CRAMER, SCOTT of FLORIDA, TUBERVILLE, MULLIN, BUDD, and SCHMITT.

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

FURTHER CONTINUING APPROPRIATIONS AND OTHER EXTENSIONS ACT, 2024

The PRESIDING OFFICER. Under the previous order, the motion to proceed is agreed to.

The motion was agreed to.

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

The legislative clerk read as follows:

A bill (H.R. 6363) making further continuing appropriations for fiscal year 2024, and for other purposes.

The PRESIDING OFFICER. The Senator from Kentucky.

AMENDMENT NO. 1366

Mr. PAUL. Mr. President, to continue spending money at the current levels will inevitably lead to the bankruptcy of our great Nation. My amendment, in order to stave off such a terrible fiscal outcome, would cut approximately 1 percent of our budgetary spending and help to put us on the path toward fiscal responsibility.

In June of this year, the national debt surpassed $32 trillion. Then, in September, the national debt surpassed $33 trillion. You heard that right. It took Congress 90 short days to add $1 trillion in debt. Unless we change course, the debt will consume us.

America's future as a nation is not threatened from without but from within. Our mounting debt will ultimately force a day of reckoning. The Congressional Budget Office predicts that we will add an average of $2 trillion in debt every year for the next decade. Using Congressional Budget Office projections, the U.S. Government will add over $5 billion to its debt pile every single day for the next 10 years.

We borrow over $176 million every hour. We borrow $3 million every minute, and we borrow $50,000 every second. It is only a matter of time before the world wakes up and refuses to buy our debt.

This reckless level of borrowing and spending is patently unsustainable. The ever-increasing heights of our debt mean a weak economy, high inflation, and confiscatory tax rates. In other words, today's spending threatens tomorrow's prosperity.

According to William McBride of the Tax Foundation, ''outside of the pandemic years, this year's federal deficit is the highest in U.S. history.''

McBride continues:

Figures from the Congressional Budget Office for fiscal year 2023 indicate that the federal deficit grew by about $2 trillion.

McBride also states that ''while tax revenue has increased 28 percent since the prepandemic year of 2019, spending has increased about 46 percent and the deficit has more than doubled. Annual deficits are headed toward [even] $3 trillion'' a year if we don't wake up and do something about it.

McBride concludes:

In sum, the federal budget continues on a perilous course. . . . Now would be a good time for our political leaders to present a coherent plan for dealing with the debt problem before it becomes an urgent crisis.

That is why I am here on the floor today. Americans are starved for a voice of fiscal sanity. Americans understand far better than the Nation's elites that time is running out. Americans will pay dearly for Congress's inability to say no to every cause, every line item, every pinstripe lobbyist. We will pay more to Uncle Sam in the form of taxes. We will pay more for groceries because of high levels of inflation that will destroy our purchasing power. And we will find a generation of kids who won't leave their parents' homes because businesses cannot afford to hire them.

It doesn't have to be this way. America can once again be a rising nation, and we can take that first step toward a brighter future today. My amendment will make across-the-board reductions except for defense and veterans' benefits. Additionally, the amendment would cut $30 billion from the Biden administration's attempt to sic the IRS on American taxpayers to squeeze even more money out of those who earned their hard-earned dollars.

All told, my amendment would save taxpayers $60 billion, which is only about 1 percent of all budgetary spending. It is a small and modest reduction in spending, but it is a step in the right direction.

This is not the first time I have offered an amendment to save the taxpayers money. Throughout my time in the Senate, I have, time and time again, offered balanced budgets and plans that would shave pennies—mere pennies—from every budgetary program to restore our fiscal health, and, every time, these proposals are rejected by the Senate. The result of failing to act then is that, today, we now vote in the shadow of a mountain of debt.

It is time that we rise up. Rise up and tell your Members of Congress that enough is enough. It is time to take a stand while the restoration of American prosperity is still within our grasp. By the time this continuing resolution expires, the people who ask for your vote next year will have added another $1 trillion to the debt. It is time to take a stand.

I urge a ''yes'' vote on my amendment and call up amendment No. 1366 and ask that it be reported by number.

The PRESIDING OFFICER (Ms. BUTLER). The clerk will report the amendment by number.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. PAUL] proposes an amendment numbered 1366.

The amendment is as follows:

(Purpose: To reduce continuing funding by 15 percent, except for the Department of Defense, military construction, and the Department of Veterans Affairs and to rescind $30,000,000,000 from enforcement funds provided to the Internal Revenue Service)

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

SEC. ___. FIFTEEN PERCENT REDUCTION IN CONTINUING FUNDING EXCEPT FOR DEPARTMENT OF DEFENSE, MILITARY CONSTRUCTION, AND DEPARTMENT OF VETERANS AFFAIRS AND RESCISSION OF IRS ENFORCEMENT FUNDS.

Division A of the Continuing Appropriations Act, 2024 and Other Extensions Act (Public Law 118–15), as amended by section 101 of this division, is further amended by inserting after section 146 the following:

''SEC. 147. (a) Except as provided in subsection (b), the rate for operations provided by section 101 of this division is hereby reduced by 15.0 percent.

''(b) The rate for operations shall not be reduced under subsection (a) with respect to the appropriation Act described in section 101(3) (relating to the Department of Defense Appropriations Act, 2023) or the appropriation Act described in section 101(10) (relating to the Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2023).

''SEC. 148. Of the unobligated balances of amounts appropriated or otherwise made available for enforcement activities of the Internal Revenue Service by section 10301(1)(A)(ii) of Public Law 117–169 (commonly known as the ''Inflation Reduction Act of 2022'') as of the date of enactment of this Act, $30,000,000,000 are hereby rescinded.''.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Madam President, there is a lot we need to get done. As soon as we prevent a shutdown by passing this continuing resolution, we need to come together in a bipartisan way to keep working on things like the comprehensive supplemental funding package for Ukraine and Israel, for humanitarian assistance, and more. And, of course, we have to pass our full-year spending bills that live up to the agreement this Congress passed in a bipartisan way and meet the needs of our communities. These are real issues that we need to take seriously and move on quickly.

And then there is this amendment, which—let's all be honest—is just not serious but would be absolutely devastating. This amendment would slash huge swaths of discretionary spending by a whopping and totally arbitrary 15 percent, not to mention the cut to the IRS of $30 billion. We are talking across the board cuts with no rhyme or reason that would devastate our families, our economy, our competitive edge, and our national security.

That is not a solution. It is not serious. It is a gift to our adversaries, who want us to fall behind. And it is a slap in the face to families across the country who are counting on the critical investments Congress makes in their communities.

I urge all of my colleagues to join me in voting against it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kentucky.

VOTE ON AMENDMENT NO. 1366

Mr. PAUL. Madam President, I yield back my time, and I call for the yeas and nays.

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

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 Texas (Mr. CORNYN), the Senator from Idaho (Mr. RISCH), and the Senator from South Carolina (Mr. SCOTT).

The result was announced—yeas 32, nays 65, as follows:

[Rollcall Vote No. 311 Leg.]

YEAS—32

Barrasso	Ernst	Marshall
Blackburn	Fischer	Mullin
Braun	Grassley	Paul
Britt	Hagerty	Ricketts
Budd	Hawley	Rubio
Cassidy	Hoeven	Schmitt
Cotton	Johnson	Scott (FL)
Cramer	Kennedy	Sullivan
Crapo	Lankford	Thune
Cruz	Lee	Tuberville
Daines	Lummis	

NAYS—65

Baldwin	Hickenlooper	Rosen
Bennet	Hirono	Rounds
Blumenthal	Hyde-Smith	Sanders
Booker	Kaine	Schatz
Boozman	Kelly	Schumer
Brown	King	Shaheen
Butler	Klobuchar	Sinema
Cantwell	Luján	Smith
Capito	Manchin	Stabenow
Cardin	Markey	Tester
Carper	McConnell	Tillis
Casey	Menendez	Van Hollen
Collins	Merkley	Vance
Coons	Moran	Warner
Cortez Masto	Murkowski	Warnock
Duckworth	Murphy	Warren
Durbin	Murray	Welch
Fetterman	Ossoff	Whitehouse
Gillibrand	Padilla	Wicker
Graham	Peters	Wyden
Hassan	Reed	Young
Heinrich	Romney	

NOT VOTING—3

Cornyn	Risch	Scott (SC)

The amendment (No. 1366) was rejected.

The PRESIDING OFFICER. There will now be up to 30 minutes of debate, equally divided.

The majority leader.

Mr. SCHUMER. Madam President, I have good news for the American people: This Friday night, there will be no government shutdown. Because of bipartisan cooperation, we are keeping the government open without any poison pills or harmful cuts to vital programs—a great outcome for the American people.

I am pleased that Speaker JOHNSON realized he needed Democratic votes to avoid a shutdown. If the Speaker is willing to work with Democrats and resist the siren's song of the hard right in the House, then we can avoid shutdowns in the future and finish the work of funding the government.

Today's CR is a good first step and a very good omen for the future. I hope we see more bipartisanship down the line.

Every time I have gotten on the phone with the Speaker, I have stressed we need bipartisanship if we want to finish the appropriations process. I hope the new Speaker continues to choose the bipartisan approach as he commendably has in his first foray.

Now, keeping the government open is a good outcome, but we have a lot more to do after Thanksgiving. We must finish passing President Biden's emergency supplemental with aid to Israel, Ukraine, humanitarian assistance for innocent civilians in Gaza, and funds for the Indo-Pacific. We will keep working with Leader MCCONNELL on a way forward.

I know that both sides genuinely care about providing aid to Israel and Ukraine and helping innocent civilians in Gaza, so I hope we can come to an agreement, even if neither side gets everything they insist on.

We will also complete our work on the National Defense Authorization Act before the end of the year. For now, I thank my colleagues for voting to keep the government open. I thank Leader MCCONNELL, Chair MURRAY, Vice Chair COLLINS, and all of the appropriators. Again, no government shutdown, no cuts to vital programs, no poison pills. This is a great outcome for the American people.

Now, my colleagues, after this vote on the CR, we have one more vote, to vote a conference on the NDAA. I urge everyone to stay here so we can finish the next vote quickly, and then do the third vote without further delay.

I yield the floor to the wonderful chair of the Appropriations Committee who did so much to get us here.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Madam President, I will vote for this bill to avoid a senseless shutdown although I do not care for this idea of two funding deadlines and double the shutdown risk. But the big picture I am focused on right now is what happens next, because avoiding a shutdown is so very far from mission accomplished. We have a lot of work to do after the dust settles and before the next shutdown deadline comes up. Now is not the time to pat ourselves on the back. It is time to roll up our sleeves and pass supplemental funding to address urgent global challenges and critical priorities here at home.

Our leadership is on the line and with it, the security of our allies and our Nation. We cannot do half of our job here. We need a supplemental that fully addresses the challenges to Ukraine, Israel, humanitarian aid, and the Indo-Pacific.

And we are not pitting American families against America's global leadership. We have got to tackle the childcare crisis and other urgent domestic priorities just as we address our urgent national security priorities. We are the United States of America. We can and must do both.

And, on that note, let me just say this: Failing to fully fund WIC for the first time ever is not an acceptable outcome to me under any circumstances.

Now, turning to the year ahead, if we don't want to be right back here in a few weeks facing a one-two-punch shutdown threat, we need all of us to get serious about 1-year postspending bills.

So I have an important message for Speaker JOHNSON and the House Republicans. We can only get these spending bills done if we are all on the same page when it comes to the topline numbers. The good news is, that is already a settled matter, because we actually passed bipartisan toplines in the debt limit deal that House Republicans and the President negotiated—a deal that Speaker JOHNSON voted for, along with so many other Members on both sides of the aisle in both Chambers.

So let's be clear: The negotiating has already happened. House Republicans just need to stick to their word and what they helped pass into law.

I am glad to see the Speaker abandon tying cuts or extreme policies to this CR. He will also need to do that to our annual bills if we are going to be able to conference any of them, because if we can't get back to those toplines that this Congress has already agreed to, we are not going to get anywhere. It is that simple.

We have to work together; we have to keep our word; and we have to compromise. That means listening to the other side, making some tough decisions, leaving out partisan nonstarters, and writing a bill that can actually pass into law. That is going to make a difference for the people we represent at home. That is exactly how Vice Chair COLLINS and I have been able to work with Members across the political spectrum to craft 12 bipartisan spending bills.

So let's get to work. Let's end this threat of a government shutdown. Then let's get that full-year funding our Nation needs signed into law.

I yield back all time.

The PRESIDING OFFICER. Without objection, all time is yielded back.

Under the previous order, the bill is considered read a third time.

The bill was ordered to a third reading and was read the third time.

VOTE ON H.R. 6363

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

Mr. TILLIS. Madam President, 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 Texas (Mr. CORNYN) and the Senator from South Carolina (Mr. SCOTT).

The yeas and nays resulted—yeas 87, nays 11, as follows:

[Rollcall Vote No. 312 Leg.]

YEAS—87

Baldwin	Budd	Cassidy
Barrasso	Butler	Collins
Blumenthal	Cantwell	Coons
Booker	Capito	Cortez Masto
Boozman	Cardin	Cotton
Britt	Carper	Cramer
Brown	Casey	Cruz
Daines	Klobuchar	Rounds
Duckworth	Lankford	Rubio
Durbin	Luján	Sanders
Ernst	Lummis	Schatz
Fetterman	Manchin	Schumer
Fischer	Markey	Shaheen
Gillibrand	Marshall	Sinema
Graham	McConnell	Smith
Grassley	Menendez	Stabenow
Hagerty	Merkley	Sullivan
Hassan	Moran	Tester
Hawley	Mullin	Thune
Heinrich	Murkowski	Tillis
Hickenlooper	Murphy	Van Hollen
Hirono	Murray	Warner
Hoeven	Ossoff	Warnock
Hyde-Smith	Padilla	Warren
Johnson	Peters	Welch
Kaine	Reed	Whitehouse
Kelly	Ricketts	Wicker
Kennedy	Romney	Wyden
King	Rosen	Young

NAYS—11

Bennet	Lee	Scott (FL)
Blackburn	Paul	Tuberville
Braun	Risch	Vance
Crapo	Schmitt	

NOT VOTING—2

Cornyn	Scott (SC)

The PRESIDING OFFICER (Mr. PADILLA). On this vote, the yeas are 87, the nays are 11.

The 60-vote threshold having been achieved, the bill is passed.

The bill (H.R. 6363) was agreed to.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2024

The PRESIDING OFFICER. Under the previous order, the clerk lays before the Senate the following message from the House of Representatives.

The senior assistant legislative clerk read as follows:

Resolved, That the House disagree to the amendment of the Senate to the bill (H.R. 2670) entitled ''An Act to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense and for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes'', and ask a conference with the Senate on the disagreeing votes of the two Houses thereon.

The PRESIDING OFFICER. The Senator from Rhode Island.

COMPOUND MOTION

Mr. REED. Mr. President, I move that the Senate insist on its amendment, agree to the conference with the House, and authorize the Presiding Officer to appoint conferees, as provided under the previous order.

I know of no further debate on the compound motion, and I ask for the yeas and nays.

VOTE ON COMPOUND MOTION

The PRESIDING OFFICER. Is there further debate?

The question is on agreeing to the compound motion.

The yeas and nays have been requested.

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 Texas (Mr. CORNYN) and the Senator from South Carolina (Mr. SCOTT).

The result was announced—yeas 90, nays 8, as follows:

[Rollcall Vote No. 313 Leg.]

YEAS—90

Baldwin	Gillibrand	Ossoff
Barrasso	Graham	Padilla
Bennet	Grassley	Peters
Blackburn	Hagerty	Reed
Blumenthal	Hassan	Ricketts
Boozman	Hawley	Risch
Braun	Heinrich	Romney
Britt	Hickenlooper	Rosen
Brown	Hirono	Rounds
Budd	Hoeven	Rubio
Butler	Hyde-Smith	Schatz
Cantwell	Johnson	Schmitt
Capito	Kaine	Schumer
Cardin	Kelly	Scott (FL)
Carper	Kennedy	Shaheen
Casey	King	Sinema
Cassidy	Klobuchar	Smith
Collins	Lankford	Stabenow
Coons	Lee	Sullivan
Cortez Masto	Luján	Tester
Cotton	Lummis	Thune
Cramer	Manchin	Tillis
Crapo	Marshall	Tuberville
Cruz	McConnell	Van Hollen
Daines	Menendez	Vance
Duckworth	Moran	Warner
Durbin	Mullin	Warnock
Ernst	Murkowski	Whitehouse
Fetterman	Murphy	Wicker
Fischer	Murray	Young

NAYS—8

Booker	Paul	Welch
Markey	Sanders	Wyden
Merkley	Warren	

NOT VOTING—2

Cornyn	Scott (SC)

The motion was agreed to.

The PRESIDING OFFICER. The Senator from Rhode Island.

MOTION TO INSTRUCT

Mr. REED. Mr. President, on behalf of Senator KLOBUCHAR, I call up her motion to instruct the conferees.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

The Senator from Rhode Island [Mr. REED], for Ms. KLOBUCHAR, moves that the managers on the part of the Senate at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 2670 be instructed to insist that the final conference report include provisions to provide stability and support, including a pathway to permanent residency, for eligible Afghan individuals in the United States, provided that such stability and support does not endanger United States citizens or the national security of the United States, and to provide additional support for certain at-risk Afghan allies abroad, provided that such support would not negatively impact the safety and security of Afghans who were employed by or on behalf of the United States.

Mr. REED. I know of no further debate on the motion.

VOTE ON MOTION TO INSTRUCT

The PRESIDING OFFICER. Is there further debate?

Hearing none, the question is on the motion.

The motion was agreed to.

The PRESIDING OFFICER. The Senator from Mississippi.

MOTION TO INSTRUCT

Mr. WICKER. Mr. President, on behalf of Senator RUBIO, I call up his motion to instruct the conferees.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

The Senator from Mississippi [Mr. WICKER], for Mr. RUBIO, moves that the managers on the part of the Senate at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 2670 be instructed to insist that the final conference report include the provisions to enforce section 212(a)(3)(B)(i)(VII) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)(i)(VII)) to revoke visas and initiate deportation proceedings for any foreign national who has endorsed or espoused the terrorist activities of Hamas, Palestinian Islamic Jihad, Hezbollah, or any another foreign terrorist organization (as designated under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189)) that has participated in terrorist attacks against Israel and United States citizens before, on, or after October 7, 2023.

Mr. WICKER. I know of no further debate on the motion.

VOTE ON MOTION TO INSTRUCT

The PRESIDING OFFICER. Is there further debate?

Hearing none, the question is on the motion.

The motion was rejected.

The PRESIDING OFFICER. The Senator from Rhode Island.

MOTION TO INSTRUCT

Mr. REED. Mr. President, on behalf of Senator HICKENLOOPER, I call up his motion to instruct the conferees.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

The Senator from Rhode Island [Mr. REED], for Mr. HICKENLOOPER (for himself and Mr. BENNET), moves that the managers on the part of the Senate at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 2670 be instructed to insist upon a provision that prohibits any limitation on the use by the United States Space Command of funds for military construction.

Mr. REED. I know of no further debate on the motion.

VOTE ON MOTION TO INSTRUCT

The PRESIDING OFFICER. Is there further debate?

Hearing none, the question is on the motion.

The motion was agreed to.

The PRESIDING OFFICER. The Senator from Mississippi.

MOTION TO INSTRUCT

Mr. WICKER. Mr. President, on behalf of Senator BLACKBURN, I call up her motion to instruct the conferees.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

The Senator from Mississippi [Mr. WICKER], for Mrs. BLACKBURN moves that the managers on the part of the Senate at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 2670 be instructed to insist that the final conference report include a provision to prohibit any action by the United States Government to release funds or assets to Iran pursuant to the document entitled ''Waiver of Sanctions with respect to the Transfer of Funds from the Republic of Korea to Qatar'' and transmitted to Congress on September 11, 2023.

Mr. WICKER. I know of no further debate on the motion.

VOTE ON MOTION TO INSTRUCT

The PRESIDING OFFICER. Is there further debate?

Hearing none, the question is on the motion.

The motion was agreed to.

MOTION TO INSTRUCT

Mr. WICKER. Mr. President, on behalf of Senator LANKFORD, I call up his motion to instruct the conferees.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

The Senator from Mississippi [Mr. WICKER], for Mr. LANKFORD, moves that the managers on the part of the Senate at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 2670 be instructed to increase defense cooperation with Israel in order to reaffirm its right to defend itself against state and non-state actors who seek to undermine Israel's sovereignty.

Mr. WICKER. I know of no further debate on the motion.

VOTE ON MOTION TO INSTRUCT

The PRESIDING OFFICER. Hearing none, the question is on the motion.

The motion was agreed to.

The PRESIDING OFFICER. The Senator from Wyoming.

MOTION TO INSTRUCT

Ms. LUMMIS. Mr. Chairman, I call up my motion to instruct the conferees.

The clerk will report the motion.

The legislative clerk read as follows:

Ms. LUMMIS (for herself, Mrs. GILLIBRAND, Mr. MARSHALL, and Ms. WARREN) moves that the managers on the part of the Senate at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 2670 be instructed to insist that the final conference report include subtitle J of title X of division A of Senate Bill 2226, 118th Congress, passed July 27, 2023.

Ms. LUMMIS. Mr. President, this motion to instruct conferees would combat bad actors using crypto assets in financial transactions by preserving in the NDAA my amendment introduced alongside my colleagues from both sides of the aisle including Senators KIRSTEN GILLIBRAND, ELIZABETH WARREN, and ROGER MARSHALL.

This amendment would not only combat money laundering, it would crack down on countries evading sanctions and funding terrorism through crypto assets.

It does this by requiring the Treasury Department to establish comprehensive exam standards for financial institutions engaged in crypto asset activities and requires a study on the use of crypto asset mixers, tumblers, and other anonymity-enhancing technologies.

Preventing illicit finance in the crypto asset industry is integral as we work to provide comprehensive regulation to the industry—and passing these provisions into law will protect our national security and ensure our adversaries are not using crypto assets to finance those who would do harm to the

United States. I strongly urge my colleagues in joining me in support of my motion to instruct.

Ms. LUMMIS. I know of no further debate on the motion.

VOTE ON MOTION TO INSTRUCT

The PRESIDING OFFICER. Hearing none, the question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The Senator from Mississippi.

MOTION TO INSTRUCT

Mr. WICKER. Mr. President, on behalf of Senator CRAMER, I call up his motion to instruct the conferees.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

The Senator from Mississippi [Mr. WICKER], for Mr. CRAMER, moves that the managers on the part of the Senate at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 2670 be instructed to insist upon maintaining the provisions of H.R. 2670 that support the critical development of the future airborne intelligence, surveillance, and reconnaissance (ISR) capability of the Air Force.

Mr. WICKER. I know of no further debate on the motion.

VOTE ON MOTION TO INSTRUCT

The PRESIDING OFFICER. Hearing none, the question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The Senator from Mississippi.

MOTION TO INSTRUCT

Mr. WICKER. Mr. President, on behalf of Senator MORAN, I call up his motion to instruct the conferees.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

The Senator from Mississippi [Mr. WICKER], for Mr. MORAN, moves that the managers on the part of the Senate at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 2670 be instructed to insist upon the provisions contained in section 1049 of the Senate amendment (relating to access to commissary and exchange privileges for remarried spouses).

Mr. WICKER. I know of no further debate on the motion.

VOTE ON MOTION TO INSTRUCT

The PRESIDING OFFICER. Hearing none, the question is on agreeing to the motion.

The motion was agreed to.

MOTION TO INSTRUCT

Mr. WICKER. Mr. President, on behalf of Senator ERNST, I call up her motion to instruct the conferees.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

The Senator from Mississippi [Mr. WICKER], for Ms. ERNST, moves that the managers on the part of the Senate at the conference on the disagreeing votes of the two Houses on the Senate amendment to H.R. 2670 be instructed to insist upon the inclusion of title XI of S. 2226, as passed by the Senate on July 27, 2023 (relating to an authorization for the Secretary of State to engage compact of free association countries on identifying or developing national security councils and advising and providing assistance for developing such councils).

Mr. WICKER. I know of no further debate on the motion.

VOTE ON MOTION TO INSTRUCT

The PRESIDING OFFICER. Hearing none, the question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The Senator from Mississippi.

MOTION TO INSTRUCT

Mr. WICKER. Mr. President, on behalf of Senator HAGERTY, I call up his motion to instruct the conferees.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

The Senator from Mississippi [Mr. WICKER], for Mr. HAGERTY, moves that the managers on the part of the Senate at the conference on the disagreeing votes of the two Houses on the Senate amendment to H.R. 2670 be instructed to insist upon the provisions contained in section 1880 of H.R. 2670 (relating to a prohibition on contracting with certain biotechnology providers).

Mr. WICKER. I know of no further debate on the motion.

VOTE ON MOTION TO INSTRUCT

The PRESIDING OFFICER. Hearing none, the question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The Senator from Mississippi.

MOTION TO INSTRUCT

Mr. WICKER. Mr. President, on behalf of Senator BRAUN, I call up his motion to instruct the conferees.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

The Senator from Mississippi [Mr. WICKER], for Mr. BRAUN (for himself and Mr. MANCHIN), moves that the managers on the part of the Senate at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 2670 be instructed to insist upon the provisions contained in section 902 of the Senate amendment (relating to reinstatement of position of Chief Management Officer of Department of Defense), which includes planning and processes, business transformations, and performance measurement and management activities across the Armed Forces, combatant commands, and other components of the Department of Defense to address the backsliding of fiscal responsibility within the Department and appoint a dedicated leader in a senior position within the Department whose mission it is to be a good steward of Federal resources.

Mr. WICKER. I know of no further debate on the motion.

VOTE ON MOTION TO INSTRUCT

The PRESIDING OFFICER. Hearing none, the question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The Senator from Rhode Island.

MOTION TO INSTRUCT

Mr. REED. Mr. President, on behalf of Senator MANCHIN, I call up his motion to instruct the conferees.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

The Senator from Rhode Island [Mr. REED], for Mr. MANCHIN, moves that the managers on the part of the Senate at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 2670 be instructed to insist that the final conference report include the provision in the concurrent resolution as agreed to by the Senate that directs the Secretary of Energy to establish a nuclear fuel program with the purpose of onshoring uranium conversion and enrichment capacity to ensure a disruption in Russian supply would not impact the development of advanced reactors or the currently operating fleet.

Mr. REED. I know of no further debate on the motion.

VOTE ON MOTION TO INSTRUCT

The PRESIDING OFFICER. Hearing none, the question is on agreeing to the motion.

The motion was agreed to.

APPOINTMENT OF CONFEREES

The PRESIDING OFFICER. Under the previous order, the Chair appoints the following as conferees on the part of the Senate.

The Presiding Officer appointed Mr. REED, Mrs. SHAHEEN, Mrs. GILLIBRAND, Mr. BLUMENTHAL, Ms. HIRONO, Mr. KAINE, Mr. KING, Ms. WARREN, Mr. PETERS, Mr. MANCHIN, Ms. DUCKWORTH, Ms. ROSEN, Mr. KELLY, Mr. WICKER, Mrs. FISCHER, Mr. COTTON, Mr. ROUNDS, Ms. ERNST, Mr. SULLIVAN, Mr. CRAMER, Mr. SCOTT of Florida, Mr. TUBERVILLE, Mr. MULLIN, Mr. BUDD, and Mr. SCHMITT conferees on the part of the Senate.

The PRESIDING OFFICER. The Senator from Michigan.

ARMENIAN PROTECTION ACT OF 2023

Mr. PETERS. Mr. President, shortly, I will ask unanimous consent for passage of the Armenian Protection Act of 2023.

Section 907 of the Freedom Support Act of 1992 was straightforward. It kept Azerbaijan from receiving military assistance from the United States. In the wake of 9/11, we granted the President the authority to waive the statute and in order to protect American interests, and as a result, we began sending military aid to Azerbaijan.

But we attached a very important condition: The Azerbaijani Government could not engage in offensive attacks or undermine the peace process with Armenia. Their recent actions in Nagorno-Karabakh have clearly failed in meeting this very straightforward standard. Not only did they blockade the Lachin corridor for 10 months, creating significant hardships, they also violently attacked innocent Armenians and forced the dissolution of the Government of Nagorno-Karabakh on September 28.

The Armenian Protection Act of 2023 is simple: It would hold Azerbaijan accountable for these actions. As a result of Azerbaijan's failure to meet the

terms of our agreement with them, it would prevent the United States from sending military aid for a period of 2 years. After that time, the President could once again decide what best serves the American interests in that region. The administration already has the authority to cut off the support, but as this conflict has unfolded, they have not taken public action.

We must send a strong message to show our partners around the world that America will enforce the conditions that we attach to military aid. If we do not take action when countries willfully ignore the terms of our agreements with them, our agreements will become effectively meaningless and toothless.

I urge my colleagues to join me in holding Azerbaijan accountable for their actions, enforce our agreements with them, and stand with the Armenian people in the face of unprovoked aggression.

I urge my colleagues to support the Armenian Protection Act of 2023.

Mr. President, I ask unanimous consent that the Committee on Foreign Relations be discharged from further consideration of S. 3000 and the Senate proceed to its immediate consideration.

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

The legislative clerk read as follows:

A bill (S. 3000) to repeal Freedom Support Act section 907 waiver authority with respect to assistance to Azerbaijan.

There being no objection, the committee was discharged, and the Senate proceeded to consider the bill.

Mr. PETERS. I ask unanimous consent that the Peters substitute amendment at the desk be agreed to.

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

The amendment (No. 1367) in the nature of a substitute was agreed to, as follows:

(Purpose: In the nature of a substitute.)

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Armenian Protection Act of 2023''.

SEC. 2. FREEDOM SUPPORT ACT SECTION 907 WAIVER REPEAL.

The President may not exercise the waiver authority provided pursuant to title II of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2002 (Public Law 107–115) (22 U.S.C. 5812 note), under the heading ''ASSISTANCE FOR THE INDEPENDENT STATES OF THE FORMER SOVIET UNION'' under subsection (g), with respect to amounts appropriated or otherwise made available for fiscal years 2024 or 2025.

Mr. PETERS. I ask that the bill, as amended, be considered read a third time.

The PRESIDING OFFICER. Also without objection, it is so ordered.

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. PETERS. I know of no further debate on the bill, as amended.

The PRESIDING OFFICER. Is there any further debate?

Hearing none, the bill having been read the third time, the question is, Shall the bill pass?

The bill (S. 3000), as amended, was passed.

Mr. PETERS. I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

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

The Senator from Georgia.

ISRAEL

Mr. OSSOFF. Mr. President, when Hamas gunmen stormed into towns and kibbutzim in southern Israel and massacred over 1,000 Israeli civilians—killing families, raping women, abducting babies, torturing and beheading Jews—in the very state that was established after the Holocaust to be their sanctuary, the overwhelming majority of Americans were and still are united in our grief, outrage, and solidarity with the Israeli people. For Jews, these events call to mind the Einsatzgruppen SS, the Nazi death squads who hunted and massacred our relatives across Eastern Europe 80 years ago.

The slaughter of Jews at such scale and with such cruelty reopened deep Jewish wounds suffered throughout our history. Salt in those wounds was the minimization and even celebration of this massacre by a few, including a few in the United States who attempted to excuse such atrocities as a righteous comeuppance for Israeli policies or the inevitable consequence of Israel's very existence.

That moment required moral clarity. No matter one's objections to Israeli policy or one's perspective on history, there is no justification and can be no apology for the deliberate massacre and torture and abduction of civilians. There is no excuse, there is no context, historical or political, that mitigates the crime.

It is clear that under such circumstances, Israel has an obligation to protect its citizens and a right to do so with force, and this, too, requires moral clarity. No government could be expected to tolerate such an attack and such a threat without taking decisive action to defend itself and to bring the perpetrators to justice.

Mr. President, now 5 weeks since the October 7 massacre, Israel's military response, which is substantially armed by the United States, directly impacts the lives of millions of people, the future of the Middle East, and America's national security, and it is therefore a necessary subject of scrutiny by the U.S. Senate. So the Senate must acknowledge that conditions for civilians in Gaza are catastrophic and that this unfolding humanitarian catastrophe is both an immense tragedy and a threat to our national security.

Hamas imbeds its military capabilities within Gaza's civilian infrastructure. It hides behind and beneath Gaza's civilian population. But the depraved tactics of Hamas do not relieve Israeli leaders of their obligations to protect innocent life, nor should they harden our hearts against the innocent people who live under their rule.

In 5 weeks, relentless airstrikes and the continuous use of massive munitions in dense urban areas have killed thousands of civilians and seriously wounded many thousands more, including many children.

In a territory half the size of DeKalb County, GA, tens of thousands of homes have been destroyed or damaged beyond use, and more than 1½ million people have been displaced. Clean water, food, and medicine are scarce, and the continued obstruction of aid necessary for sanitation and healthcare will worsen suffering, disease, and death. Small children are wasting from malnutrition and falling ill in overcrowded shelters and makeshift camps. Imagine the desperation of families with young children just trying to survive. And this, too, requires moral clarity.

The extent of civilian death and suffering in Gaza is unnecessary, it is a moral failure, and it should be unacceptable to the United States.

There is no doubt that to defeat the threat posed by Hamas, force is required. With the use of force, no matter how judicious, facing an enemy hiding behind civilians, there will be civilian casualties. But restraint and the acceptance of some military risk out of concern for innocent life are demonstrations of strength, even and especially when confronting a brutal enemy like Hamas. Concern for the innocent, especially when fighting an enemy unbound by any morality, demonstrates the values for which the United States should stand and which Israel proclaims—the same values meant to be the bedrock of our alliance.

An unmitigated humanitarian disaster in Gaza is not just a moral failure, it undermines American national security; it heightens the risk that the war might spread and draw American forces further into combat.

It sows the seeds of hate and dims the prospects for a long-term sustainable peace between Israelis and Palestinians. It gives fodder to terrorists who would strike Americans and our allies abroad and at home. It damages the credibility of the United States and our allies as champions of a future defined by humanitarian values—the same values at stake in Ukraine, where Russia would push dictatorship into Europe, and in Asia, where China threatens the future of human freedom.

If, in 6 months, Gaza is rubble, with tens of thousands of civilians dead and millions of desperate refugees, with no viable plan to govern its ruins, that would be a disaster not just for all those killed and wounded and immiserated, but also for Israel, for the region, and for the United States.

The United States has stood with Israel since October 7 and still does. The President powerfully condemned Hamas atrocities. He flew to Israel while Israel was under fire. He rushed

supplies to the IDF and sent powerful military assets to deter Iran and its proxies. Americans are working around the clock to secure the release of hundreds of hostages. Nevertheless, requests by the United States that the Israel leadership conduct a more targeted campaign, that they permit and provide safe passage for aid essential to the sustenance of innocent life, that they clearly define objectives, that they prevent extrajudicial killings by extremists in the West Bank, and that they present a credible plan for Gaza's future governance have mostly been ignored.

I fervently want Israel to succeed, both in defeating the threat posed by Hamas and as a historic effort to secure a safe homeland for Jews. But I do not accept that the total deprivation of millions of innocent civilians is necessary for Israel to secure its objectives or in the national interest of the United States. And where the United States is committing arms, funds, and support for those efforts, we must guard our principles and our interests.

Mr. President, I urge Israel's political leaders to act with wisdom, to listen to Israel's greatest friend and ally, the United States. Just as I pray for the freedom of hostages taken so cruelly from their families, as a pro-Israel Jewish American, I urge mercy for the innocent civilians in Gaza.

I yield the floor.

The PRESIDING OFFICER (Mr. PETERS). The Chair would like to clarify for the information of the Senate that Senator CRAMER is named as a conferee on H.R. 2670.

The majority leader.

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. 354.

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 Jeffrey M. Bryan, of Minnesota, to be United States District Judge for the District of Minnesota.

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. 354, Jeffrey M. Bryan, of Minnesota, to be United States District Judge for the District of Minnesota.

Charles E. Schumer, Richard J. Durbin, Sheldon Whitehouse, Alex Padilla, Richard Blumenthal, Cory A. Booker, Benjamin L. Cardin, Chris Van Hollen, Tammy Duckworth, Brian Schatz, Tammy Baldwin, Margaret Wood Hassan, Tina Smith, Mazie K. Hirono, Christopher Murphy, Peter Welch, Christopher A. Coons.

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. 308.

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 Margaret M. Garnett, of New York, to be United States District Judge for the Southern District of New York.

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. 308, Margaret M. Garnett, of New York, to be United States District Judge for the Southern District of New York.

Charles E. Schumer, Richard J. Durbin, Tammy Duckworth, Mazie K. Hirono, Richard Blumenthal, Christopher A. Coons, Alex Padilla, Patty Murray, Sheldon Whitehouse, Debbie Stabenow, Tina Smith, Benjamin L. Cardin, Chris Van Hollen, Tim Kaine, Brian Schatz, Christopher Murphy, 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. 117.

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 Jose Javier Rodriguez, of Florida, to be an Assistant Secretary of Labor.

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. 117, Jose Javier Rodriguez, of Florida, to be an Assistant Secretary of Labor.

Charles E. Schumer, Tina Smith, Tammy Baldwin, Alex Padilla, Michael F. Bennet, Richard J. Durbin, Christopher Murphy, Sheldon Whitehouse, Jeff Merkley, Margaret Wood Hassan, Catherine Cortez Masto, Debbie Stabenow, Jack Reed, Richard Blumenthal, Chris Van Hollen, Tammy Duckworth, Peter Welch.

Mr. SCHUMER. I ask unanimous consent that the mandatory quorum calls for the cloture motions filed today, November 15, be waived.

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

EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate consider the following nomination: Calendar No. 212, Roger F. Nyhus, of Washington, to be Ambassador to Barbados, the Federation of Saint Kitts and Nevis, Saint Lucia, Antigua and Barbuda, the Commonwealth of Dominica, Grenada, and Saint Vincent and the Grenadines; that the Senate vote on the nomination without intervening action or debate; that the motion to reconsider be considered made and laid upon the table; and that the President be immediately notified of the Senate's action.

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

The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Roger F. Nyhus, of Washington, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Barbados, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the

United States of America to the Federation of Saint Kitts and Nevis, Saint Lucia, Antigua and Barbuda, the Commonwealth of Dominica, Grenada, and Saint Vincent and the Grenadines.

Thereupon, the Senate proceeded to consider the nomination.

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

The nomination was confirmed.

LEGISLATIVE SESSION

MORNING BUSINESS

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

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

TRIBUTE TO LAURA LYTLE

Mr. SCHUMER. Mr. President, on another matter, today, with a heart full of gratitude, I join my colleagues in paying tribute to Laura Lytle, who is retiring today as the Daily Press Media Gallery Director.

Laura is precisely my kind of Senate staffer: It was through her good work that the press has been able for all these years to access the Senate and keep the American public informed about our work.

Laura joined the Sergeant at Arms in May of 1994 as an intern in the Press Gallery, taking on special projects to help the fine-tuned machinery of the Gallery to function properly. Over the years, she worked her way up the ladder and became the director of the Daily Press Media Gallery in June of 2013.

It was Laura who was responsible for credentialing reporters for daily newspapers, wire services, and online publications and has helped facilitate press interactions with Members.

Without Laura, that crucial bridge between this Chamber and the public that the press creates would not be possible. She has been the facilitator and gatekeeper, and we are all so thankful for her service.

Laura, we wish you the very best on the next step in our journey. We will miss you, and please know you always have a home here in the Senate.

TRIBUTE TO MATT MYERS

Mr. DURBIN. Mr. President, serving as a U.S. Senator is a singular opportunity to improve the lives of the American people and make a difference. When you think about the areas where we have made real, tangible progress in preventing suffering, disease, and death, the area of tobacco prevention and control stands out for its dramatic success in saving lives.

This has required a comprehensive campaign to shift public thinking, promote public health practices, empower the medical and scientific communities, shed light on the despicable tactics of Big Tobacco, and change the laws at the Federal, State, and local levels. That is a daunting task.

But not for Matt Myers—it has been his life's calling, and for more than four decades, he has made it his mission to save lives and hold the tobacco industry accountable. Matt recently stepped down as the president of the Campaign for Tobacco-Free Kids, which he helped to found in 1996. He has had an outsized impact by playing an indispensable role in just about every tobacco-related policy debate, and he is leaving a lasting legacy of success measured in lives spared.

As a leader, advocate, and lawyer, Matt helped transform our country's perception of the tobacco industry: by placing children, one of the main targets of the tobacco industry's predatory tactics, front and center. And he has produced remarkable results. While Matt has worked on this issue, the percentage of high school students who smoke cigarettes has declined from 28 percent in 2000 to 2 percent today.

He began at the Federal Trade Commission in 1980, where he worked on regulatory and litigation efforts related to tobacco tax increases, warning labels on cigarette packs, banning advertisements on television and radio, and many other topics. He worked extensively on the historic master settlement agreement to hold the tobacco industry responsible for its lies, deceit, and marketing over the years, which took millions of lives far too soon, including my own father's.

Matt worked alongside me as we pushed to finally empower and authorize the Food and Drug Administration to regulate the manufacturing, marketing, and sale of tobacco products. Since then, we have collaborated to further raise the prices of tobacco products out of the reach of children, increase the age to purchase tobacco products, and close loopholes that e-cigarette manufacturers have exploited. Matt also has recognized that we can make a difference through other avenues as well. We worked together to kick chewing tobacco out of Major League Baseball and out of Hollywood movies.

On virtually any issue that Matt has engaged on, he has prevailed—no matter how long it took—and our children, our public spaces, and the Nation's health are better for it. But that is not to say it has been easy—far from it. One can characterize Matt's approach as a dogged, comprehensive pursuit of what is right, no matter the challenge or the strength of the adversary. And with the riches and shamelessness of Big Tobacco, Matt has taken on the giants, and more often than not, he has come out on top.

It has been an honor to work alongside Matt on so many of these efforts. When a new problem arises, and I am considering what course of action to take, I often find myself asking, ''What does Matt Myers think?'' I know many others have counted on Matt's counsel and wisdom. He has been recognized for his leadership by the Harvard School of Public Health, the Surgeon General of the United States, Smokefree America, and the American Cancer Society. He has been selected to advise the United Nations and World Health Organizations on global health conventions, spreading his lasting legacy overseas to address disparities worldwide.

While I will miss Matt's trusted advice, tenacity, and creativity, I know the Campaign for Tobacco-Free Kids and the broader public health community will carry on the effort to safeguard our successes, continue to protect children from the harms of vaping, clear the market of menthol and flavored cigars, and promote smoking cessation.

I thank Matt for his service to the country and wish him the best of luck in his new, well-deserved chapter in life. I know that will include more time with his wife Louise, sons Micah and Daniel, and grandchildren Elliot, Eva, David, and Sofia. Congratulations, again.

ARMS SALES NOTIFICATION

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

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

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

DEFENSE SECURITY COOPERATION AGENCY,
Washington, DC.

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

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 23–76, concerning the Navy's proposed Letter(s) of Offer and Acceptance to the Republic of Korea for defense articles and services estimated to cost $52.1 million. We will issue a news release to notify the public of this proposed sale upon delivery of this letter to your office.

Sincerely,

JAMES A. HURSCH,
Director.

Enclosures.

TRANSMITTAL NO. 23–76

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Republic of Korea (ROK).

(ii) Total Estimated Value:

Major Defense Equipment* $40.1 million.

Other $12.0 million.

Total $52.1 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE):

Forty-two (42) AIM–9X Sidewinder Block II+ Tactical Missiles.

Ten (10) AIM–9X Sidewinder Captive Air Training Missiles (CATM).

Five (5) AIM–9X Block II+ Sidewinder Tactical Guidance Units (GU).

Three (3) AIM–9X Sidewinder CATM Guidance Units (GU).

Non-MDE: Also included are missile containers; spare and repair parts; support and test equipment; publications and technical documentation; personnel training and training equipment; U.S. Government and contractor representatives' technical assistance, engineering, and logistics support services; and other related elements of logistics and program support.

(iv) Military Department: Navy (KS–P–ANR).

(v) Prior Related Cases, if any: KS–P–ALE.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None known.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Attached Annex.

(viii) Date Report Delivered to Congress: November 15, 2023.

*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Republic of Korea (ROK)—AIM–9X Block II and Block II+ (Plus) Sidewinder Missiles

The Government of the Republic of Korea has requested to buy forty-two (42) AIM–9X Sidewinder Block II+ Tactical Missiles; ten (10) AIM–9X Sidewinder Captive Air Training Missiles (CATM); five (5) AIM–9X Block II+ Sidewinder Tactical Guidance Units (GU); and three (3) AIM–9X Sidewinder CATM Guidance Units (GU). Also included are missile containers; spare and repair parts; support and test equipment; publications and technical documentation; personnel training and training equipment; U.S. Government and contractor representatives' technical assistance and engineering and logistics support services; and other related elements of logistics and program support. The estimated total program cost is $52.1 million.

This proposed sale will support the foreign policy goals and national security objectives of the United States by improving the security of a major ally that is a force for political stability and economic progress in the Indo-Pacific region.

The proposed sale will improve the Republic of Korea's capability to meet current and future threats while further enhancing interoperability with the United States and other allies. Korea will have no difficulty absorbing these articles into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The principal contractor will be Raytheon Missiles and Defense (RMD), Tucson, AZ. There are no known offset agreements proposed in connection with this potential sale.

Implementation of the proposed sale will require U.S. Government and contractor personnel to visit the ROK on a temporary basis in conjunction with program technical oversight and support requirements, including program and technical reviews, as well as to provide training and maintenance support in country.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 23–76

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex Item No. vii

(vii) Sensitivity of Technology:

1. The AIM–9X Block II and Block II+ (Plus) SIDEWINDER Missile represents a substantial increase in missile acquisition and kinematics performance over the AIM–9M and replaces the AIM–9X Block I Missile configuration. The missile includes a high off-boresight seeker, enhanced countermeasure rejection capability, low drag/high angle of attack airframe and the ability to integrate the Helmet Mounted Cueing System. The most current AIM–9X Block II/II+ Operational Flight Software developed for all international partner countries, which is authorized for export by USG export policy, provides fifth-generation Infra-Red Missile capabilities such as Lock-On-After-Launch, Weapons Data Link, Surface Attack, and Surface Launch. No software source code or algorithms will be released.

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

3. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures that might reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.

4. A determination has been made that the Republic of Korea (ROK) can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

5. All defense articles and services listed in this transmittal have been authorized for release and export to the ROK.

ARMS SALES NOTIFICATION

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

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

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

DEFENSE SECURITY COOPERATION AGENCY,
Washington, DC.

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

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 23–78, concerning the Navy's proposed Letter(s) of Offer and Acceptance to the Republic of Korea for defense articles and services estimated to cost $650 million. We will issue a news release to notify the public of this proposed sale upon delivery of this letter to your office.

Sincerely,

JAMES A. HURSCH,
Director.

Enclosures.

TRANSMITTAL NO. 23–78

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Republic of Korea (ROK).

(ii) Total Estimated Value:

Major Defense Equipment* $385 million.

Other $265 million.

Total $650 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE):

Up to thirty-eight (38) Standard Missile 6 (SM–6) Block I Missiles

Non-MDE: Also included are MK 21 Vertical Launch System (VLS) canisters; obsolescence Engineering, Integration, and Test (EI&T) materiel and support; handling equipment; spares; training and training equipment and aids; technical publications and data; U.S. Government and contractor engineering and technical assistance, including related studies and analysis support; product support; materiel and support for demonstration and interoperability live fire events; and other related elements of logistics and program support.

(iv) Military Department: Navy (KS–P–ANP).

(v) Prior Related Cases, if any: KS–P–AMO; KS–P–AMR; KS–P–ALM.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None known.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Attached Annex.

(viii) Date Report Delivered to Congress: November 14, 2023.

*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Republic of Korea (ROK)—Standard Missile 6 Block I (SM–6 Blk I)

The Government of the Republic of Korea has requested to buy up to thirty-eight (38) Standard Missile 6 (SM–6) Block I missiles. Also included are MK 21 Vertical Launch System (VLS) canisters; obsolescence Engineering, Integration, and Test (EI&T) materiel and support; handling equipment; spares; training and training equipment and aids; technical publications and data; U.S. Government and contractor engineering and technical assistance, including related studies and analysis support; product support; materiel and support for demonstration and interoperability live fire events; and other related elements of logistics and program support. The estimated total program cost is $650 million.

This proposed sale will support the foreign policy goals and national security objectives of the United States by improving the security of a major ally that is a force for political stability and economic progress in the Indo-Pacific region.

The proposed sale will improve the Republic of Korea's capability to meet current and future threats while further enhancing interoperability with the United States and other allies. Korea will have no difficulty absorbing these articles into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The principal contractor will be Raytheon Missiles and Defense (RMD), Tucson, AZ. There are no known offset agreements proposed in connection with this potential sale.

Implementation of the proposed sale will require U.S. Government and contractor personnel to visit the Republic of Korea on a temporary basis in conjunction with program technical oversight and support requirements, including program and technical reviews, as well as to provide training and maintenance support in country.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 23–78

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex Item No. vii

(vii) Sensitivity of Technology:

1. The Standard Missile–6 (SM–6) is a Navy surface-to-air missile that provides area and ship self-defense. The missile is intended to project power and contribute to raid annihilation by destroying manned fixed and rotary wing aircraft, Unmanned Aerial Vehicles (UAV), Land Attack Cruise Missiles, and Anti-Ship Cruise Missiles in flight. It was designed to fulfill the need for a vertically launched, extended range missile compatible with the AEGIS Weapon System to be used against extended range threats at sea, near land, and overland. The SM–6 combines the tested legacy of Standard Missile 2 (SM–2) propulsion and ordnance with an active radio frequency seeker allowing for over-the-horizon engagements, enhanced capability at extended ranges, and increased firepower.

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

3. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures that might reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.

4. A determination has been made that the Republic of Korea (ROK) can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

5. All defense articles and services listed in this transmittal have been authorized for release and export to the ROK.

UNANIMOUS CONSENT OBJECTION

Mr. WYDEN. Mr. President, I am announcing my intent to object to any unanimous consent request to proceed to S.1490, the Kids Online Safety Act.

I agree with the sponsors of this bill that social media and online games can have a negative impact on the mental health of minors. However, this bill makes the mistake of empowering State attorneys general already enforcing bans on LGBTQ information and prosecuting individuals for helping others receive abortion healthcare. Armed with this bill, all a State attorney general would need to do is link the content they want to scrub from the internet with causing ''anxiety'' or ''depression'' and demonstrate that the platform allowed minors to access such content. For everyone except the largest platforms, the act of being served with the complaint, no matter how specious, would be enough incentive to take down the content in question. Sadly, some deep-pocketed groups that promote anti-choice and anti-LGBTQ policies are cheerleading the bill for this reason.

Until the bill is amended to foreclose the ability of State attorneys general to wage war on important reproductive and LGBTQ content, I will object to any unanimous consent request in relation to this legislation.

2023 WORLD DAY OF REMEMBRANCE FOR ROAD TRAFFIC VICTIMS

Mr. VAN HOLLEN. Mr. President, November 19, 2023, marks the World Day of Remembrance for Road Traffic Victims, WDoR, commemorating the millions of people killed and injured by the devastating cost of car crashes. On this day, communities across the Nation and globe gather to call for action against the roadway safety crisis, recognizing that these are not isolated incidents but rather widespread problems with known solutions. This day also serves as a powerful reminder of the critical work of emergency responders in saving lives and as a moment to stand in solidarity to recognize how road traffic deaths and injuries deeply impact our community. Now is the time to take decisive action. By investing in proven, tangible measures and enacting legislation, we can prevent further loss of life. Our Nation must invest in advanced technology and the redesign of our roadways to spare more families the tragedy of losing a loved one.

Like other issues that are uniquely American, the U.S. failure to protect all road users, especially pedestrians and cyclists, makes us stand out among developed nations. According to the World Health Organization, the United States ranks 47th out of 54 in traffic fatality rate among high-income nations. In 2021, there were 42,915 deaths due to roadway crashes in the U.S., the highest figure since 2005. This highlights the lack of progress that has been made in addressing these preventable losses.

As we solemnly observe this day, we are reminded of the profound message behind this year's poignant theme: Safe Streets for All. Since its inception in 1995 and its subsequent adoption by the United Nations for global observance on November 15, 2005, the WDoR has become a catalyst for change across continents. It is a day that compels us to reflect on the heartbreaking losses experienced by families worldwide due to unsafe road conditions.

Our call to action is clear and urgent: We must not only remember but also advocate for immediate change. This means demanding from our leaders a steadfast commitment to invest in and reimagine our infrastructure. By fostering the creation of safer vehicles, redesigning our roadways, and ensuring walkable and bike-friendly communities, especially for those communities that have been persistently marginalized, we can transform our streets into corridors of safety rather than peril.

In honoring the lives tragically cut short by traffic accidents, we confront the profound loss of family members, partners, and cherished friends, alongside the burdens of caring for those left with permanent disabilities. Yet it is in our collective commitment to act that we find the truest form of remembrance, ensuring such tragedies become rare exceptions. Rejecting complacency, we honor the victims by embracing our shared duty to prevent further needless interruptions of life stories on our roads. As a community, both local and global, we are called to forge a path toward safer streets, decisively acting to protect every life and using the memories of those we have lost as a catalyst for real and enduring change.

REMEMBERING HERBERT ''BERTIE'' BOWMAN

Ms. KLOBUCHAR. Mr. President, today I rise to honor and pay tribute to Herbert ''Bertie'' Bowman who passed away on October 25, 2023, at the age of 92 after a remarkable life and over six decades of service to the U.S. Senate.

As has been noted by my colleague Senator CARDIN, Bertie was the embodiment of the American Dream. Bertie began his Capitol Hill career by sweeping steps of the Capitol after running away from his South Carolina home, where his family members were sharecroppers, following a chance encounter with then-Senator Burnet Maybank in a Summerton, SC, general store. Senator Maybank invited Bertie—then only 13 years old—to come see him in Washington sometime, and that is just what he did.

A week later, Bertie hopped on a train bound for Union Station and ended up in the Senator's office. The Senator gave him his first job—to sweep the Capitol steps for $2 a week—and from there, he went on to build a reputation on Capitol Hill as someone who could do it all. According to his memoir, Bertie's mother gave him the best career advice anyone could ask for. She said, ''Be patient and do what you're supposed to do.''

Over his many decades in the Senate, one job led to another, and Bertie eventually got a clerical position with the Senate Foreign Relations Committee in 1966. He left the Senate in 1990 to run

his own chauffeur service, but he returned to the Foreign Relations Committee a decade later as hearing coordinator—a job he held until his nineties.

Through it all, Bertie exhibited the decency and courtesy that led him to befriend all those who knew him.

I want to honor Bertie Bowman for his lifelong dedication and service to this institution and to our democracy and to thank him for setting the example of civility to which we all should aspire.

TRIBUTE TO WILLIAM B. SHEAR

Mrs. SHAHEEN. Mr. President, I request unanimous consent to enter into a colloquy with the Senator from Iowa.

As chair of the Committee on Small Business and Entrepreneurship, I rise to celebrate the venerable career of Director William Shear of the U.S. Government Accountability Office—GAO—and congratulate him on his retirement.

Mr. Shear is a Director at the U.S. Government Accountability Office. As a leader on the Financial Markets and Community Investment team, his portfolio addresses small business issues, community and economic development, and Native American housing issues. In addition to these important issues, Mr. Shear's portfolio includes oversight of many Small Business Administration—SBA—programs that address contracting, disaster assistance, access to capital, and entrepreneurial counseling.

Mr. Shear's career at the GAO spans over two decades. In this time, he has had profound impact on the government's small business programs and served thousands of citizens who use these important programs every day. During the COVID–19 pandemic, Mr. Shear testified before the Committee on Small Business and Entrepreneurship to provide his essential perspective on the SBA's COVID relief programs. His testimony emphasized the importance of conducting effective oversight and of ensuring that relief was delivered to the people who needed it most.

At the height of the pandemic, my colleagues and I on the Committee on Small Business and Entrepreneurship worked tirelessly on behalf of America's small businesses and worked to ensure that the most vulnerable small businesses received the help they needed. Mr. Shear's commitment to upholding the integrity of the SBA's relief programs was foundational to our work. His testimony supported the committee's mission to serve America's most vulnerable businesses during an unprecedented time of uncertainty and chaos, and we are grateful to him for his invaluable contributions.

Mr. Shear also contributed to the committee's efforts to improve the SBA's contracting programs. His testimony provided the committee with valuable insight into the SBA's efforts to provide better contracting opportunities for small businesses, especially women-owned and veteran-owned firms, and his suggestions on how to improve these programs were indispensable to us.

Advocating for small business growth, especially among women-owned and veteran-owned small businesses, is critically important. About 99 percent of the businesses in my home State of New Hampshire are small, and these businesses employ about half of Granite Staters. With GAO, Mr. Shear has been a tireless advocate for these same small businesses. He has worked hard with the Committee on Small Business and Entrepreneurship and the SBA to ensure that the programs established to help America's small businesses continue to do so and continue to improve.

As chair of the Committee on Small Business and Entrepreneurship, I am honored to thank Mr. Shear for his contributions to GAO, to the committee's work, and to small businesses across the country. We will miss his hard work and his advocacy. I offer him warm congratulations on his retirement and wish him well in his future endeavors.

Ms. ERNST. Mr. President, as ranking member of the Senate Committee on Small Business and Entrepreneurship, I have had the firsthand opportunity to see the impact that small businesses have on local communities and the work of dedicated public servants to ensure that they remain the backbone of the economy. Today, I would like to recognize Mr. William Shear, a public servant who has dedicated over 20 years to America's small businesses and wish him a happy retirement.

Mr. Shear serves as the Director of Financial Markets and Community Investment at the U.S. Government Accountability Office, GAO. In this role, he has distinguished himself as an expert on the Small Business Administration's disaster assistance lending, government contracting, and small business credit programs. In his time at GAO, he served as Acting Director for Physical Infrastructure and was Assistant Director of Financial Markets and Community Investment. Mr. Shear is a graduate of the University of Chicago with both a master's degree in public policy and a Ph.D. in economics. In addition to his time at GAO, he is a former lecturer at the University of Pennsylvania, where he taught city and regional planning.

Mr. Shear is no stranger to the Senate Committee on Small Business and Entrepreneurship. As the Director of Financial Markets and Community Investment, he has testified numerous times before the committee as a champion of saving the American taxpayer their hard-earned dollars. In the aftermath of Hurricane Katrina, the Deepwater Horizon disaster, and Hurricane Sandy, Mr. Shear was there to provide answers with his insight and knowledge on disaster assistance. His testimonies provided the committee with meaningful solutions that assisted the small businesses in our home States and communities.

I want to congratulate Mr. Shear on his outstanding career at GAO. We appreciate his dedication to America's small businesses and the expertise he provided to the Senate Committee on Small Business and Entrepreneurship. I would like to associate myself with the comments of the chair.

TRIBUTE TO BOB CABANA

Mr. KELLY. Mr. President, this week, NASA Associate Administrator, former astronaut, and my friend Colonel Robert Cabana announced his retirement, effective December 31, after more than 38 years of public service to NASA. In his current capacity as Associate Administrator, Colonel Cabana served as the Agency's highest ranking civil servant, third highest ranking NASA official, and the senior adviser to NASA Administrator Bill Nelson and Deputy Administrator Pam Melroy. Colonel Cabana's legacy, among many things, includes a significant contribution to the Nation's human spaceflight program and decades of energetic leadership at the Agency. On a personal level, he played an important leadership role within the astronaut corps, including as chief of NASA's Astronaut Office when I was as an astronaut and during my selection and early years at NASA. I am honored to congratulate Bob on his retirement and thank him for his many years of service.

Born in Minneapolis, Bob graduated from the U.S. Naval Academy, became a naval aviator, and graduated with distinction from the U.S. Naval Test Pilot School in 1981. During his military career, he logged over 7,000 hours in more than 50 different kinds of aircraft. He retired as a colonel from the U.S. Marine Corps in September 2000.

Bob was selected as an astronaut candidate in 1985 and went on to log 38 days in space during four shuttle missions. He piloted the Space Shuttle Discovery on missions STS–41 in 1990 and STS–53 in 1992. During STS–53, the crew conducted microgravity research experiments that helped pave the way for future operations aboard the International Space Station. He commanded Columbia's STS–65 mission in 1994, and in 1998, his final flight, he commanded Space Shuttle *Endeavour* on STS–88, which was the first International Space Station assembly mission.

The International Space Station has been orbiting Earth about every 90 minutes and conducting groundbreaking science since November 2000 thanks to the contributions by Bob during STS–88. While at the Johnson Space Center, he served as the lead astronaut in the Shuttle Avionics Integration Laboratory, Mission Control Spacecraft Communicator—CAPCOM—and as the director of Flight Crew Operations Directorate.

He went on to serve as the Deputy Director of the Johnson Space Center, the Center Director of NASA's Stennis Space Center, and then the Center Director at the Kennedy Space Center in 2007, where he led its transition from retirement of the space shuttle to a multi-user spaceport once again launching NASA astronauts to low Earth orbit and, for the first time, doing so with commercial partners. He served for more than a decade at the Kennedy Space Center until Senator Nelson called him up to headquarters in 2021.

And as Associate Administrator of the Agency, Bob has led NASA's 10 Center Directors, as well as the Mission Directorate Associate Administrators at NASA Headquarters in Washington. He has been the Agency's chief operating officer for more than 18,000 employees and oversaw an annual budget of more than $25 billion.

Bob's many achievements have been recognized with induction into the Astronaut Hall of Fame and being named an associate fellow in the American Institute of Aeronautics and Astronautics and a fellow in the Society of Experimental Test Pilots. He has received numerous personal awards and decorations, including the Distinguished Flying Cross and the Presidential Distinguished Rank Award. He also is a recipient of the Rotary National Award for Space Achievement's National Space Trophy.

Thank you and congratulations to Bob for your many years of service, your dedicated leadership at NASA, your contribution to our Nation's spaceflight program, and your inspiration to us all.

TRIBUTE TO CHARLI A. KILEY

Mr. HICKENLOOPER. Mr. President, I rise today to honor a great American and a U.S. Air Force civil servant, Ms. Charli Kiley.

Charli distinguished herself through her outstanding service as the office manager and scheduler for the U.S. Air Force's Senate Legislative Liaison office. For the last 13 years, Charli delivered exceptional service through her professionalism, attention to detail, and continued commitment to serving this Nation as a civil servant. Total service included, Charli honorably served a combined 38 years in the U.S. Air Force and civil service.

Throughout her career, Charli demonstrated exceptional work ethic. As a bipartisan volunteer, Charli was responsible for escorting guests for the Chairman of the Joint Chiefs of Staff to two Presidential inaugurations. In 2022, Charli directly supported a bicameral congressional delegation in support of the Reagan National Defense Forum, as well as the unveiling of the Department of Defense's newest bomber aircraft, the B–21 Raider.

As the manager and scheduler for the Air Force Senate Legislative Liaison office from April 2010 to June 2023, Charli performed her duties well and without reservation supporting the 111th Congress through the 118th Congress. Her subject matter expertise, professional relationships, and in-depth knowledge of the inner workings of Capitol Hill directly strengthened and improved our national security. Charli was singularly responsible for scheduling thousands of engagements between Congress and the Department of the Air Force. These engagements helped U.S. Senators and staffers understand defense equities and their impact on national security. Due to her direct input and stewardship, Members of Congress were able to make informed decisions and ensured the Department of the Air Force was properly resourced and funded. Additionally, Charli's efforts helped establish the U.S. Space Force, she assisted with the confirmation of eight Air Force Secretaries, three Air Force Chiefs of Staff, two Chiefs of Space Operations, and gained the Department of the Air Force support for multiple National Defense Strategies. Last, Charli helped train nine incoming Senate Legislative Liaison division chiefs, nine deputy division chiefs, and dozens of action officers, ensuring seamless transitions, office continuity, and efficient performance.

After serving in this crucial role for the past 13 years and becoming a fixture on Capitol Hill, Ms. Charli Kiley will be retiring and moving to the great State of Colorado. Charli has given her all in service to our Nation. I am thankful for her service, her work with my office, and her work with the Senate on issues of vital importance to this great Nation. I salute this American patriot whose selfless service has kept our country safe and strong.

40TH ANNIVERSARY OF THE CENTER FOR EXCELLENCE IN EDUCATION

Mr. YOUNG. Mr. President, I rise today to recognize the 40th anniversary of the Center for Excellence in Education, CEE.

When Admiral Rickover and Joan DiGennaro founded CEE in 1983, they set out on an ambitious mission to nurture high school and university scholars towards esteemed careers in the fields of science, technology, engineering, and mathematics—STEM. Since its founding, CEE's renowned Research Science Institute has collaborated with brilliant scholars from all 50 U.S. States and an impressive 61 countries. Further showcasing CEE's impact, the USA Biolympiad competition has had over 10,000 students participate, with the U.S. team achieving many gold medals. Additionally, the Teacher Enrichment Program and STEM Lyceums provide transformative learning opportunities for teachers, especially those in underserved and rural areas.

As an honorary trustee of CEE, I am consistently impressed with the organization's unwavering commitment to advancing STEM education. Through my lens as a legislator, I recognize the critical importance of STEM education as we navigate the challenges posed by global competitors in domains spanning advanced mathematics, artificial intelligence, and biosecurity. STEM will undeniably shape the future economy, and I wholeheartedly commend CEE's efforts to inspire and equip our youth with the necessary skills for a flourishing future.

It is my honor to recognize and congratulate the Center for Excellence in Education on its 40th anniversary.

ADDITIONAL STATEMENTS

TRIBUTE TO JIM DEREMEIK

● Mr. BOOZMAN. Mr. President, I rise today in honor of a dear friend Jim Deremeik who dedicated his career to supporting low-vision rehabilitation care and education.

Jim and I first met at the New York Lighthouse Guild. I was finishing my optometry studies and doing an externship with the lighthouse program, and Jim was working at the Arkansas School for the Blind. Our work at the New York Lighthouse Guild involved learning how to better enable people who are blind, but still had partial vision, to use this remaining vision through magnifiers and other devices so they could better navigate a sighted world. Through Jim's persistence, I began volunteering in Little Rock at the Arkansas School for the Blind and developing a low-vision program. Working together and with the great team at the school, we were able to make a big difference in the lives of many students. Our working relationship turned into a deep friendship.

My old football coach at the University of Arkansas Frank Broyles always used to say there are two kinds of people: givers and takers. I soon learned that Jim was the definition of a giver. Over the years, Jim has received many awards and accolades, but the thing he will be most remembered for is his servant leadership towards his students and clients, along with the example that he has set for his friends and coworkers.

I know Jim is retiring, but I can't imagine him not being involved in some way through various organizations and entities to continue helping others. My only regret is that life has taken us down separate paths, and we have not gotten to spend nearly as much time with each other as I would like. I wish Jim and Peggy, his wonderful wife, the best. The blind community is much better off as a result of the dedication and care of Jim Deremeik.●

TRIBUTE TO ALEX SANCHEZ

● Mr. SCOTT of Florida. Mr. President, I stand to recognize and congratulate Alex Sanchez, president and CEO of the

Florida Bankers Association, on his retirement. Mr. Sanchez is a Cuban immigrant and American patriot. Sanchez served in the U.S. Air Force from 1976–1981 and holds a juris doctorate from the Iowa College of Law.

Mr. Sanchez has served as president and CEO of the Florida Bankers Association for 30 years and will be retiring on December 31, 2023. Under his leadership, the Florida Bankers Association was instrumental in bringing to light and stopping harmful Federal legislation and regulation programs such as Operation Chokepoint and making nonresident alien account information public. He also oversaw the association's historic merger with the Community Bankers of Florida, combining the two banking organizations to better serve Florida's banking industry and the families and businesses it serves.

Mr. Sanchez was appointed by President George W. Bush and confirmed by the U.S. Senate as a board member to the Federal Retirement Thrift Investment Board, where he served from 2003–2010. Former Florida Governor Jeb Bush nominated him to the Florida Schools of Excellence Commission, where he served from August 2006–April 2007. Later, he was chosen by the Financial Services Volunteer Corps for a mission to Tunis, Tunisia, to partner with the Tunisian Bankers Association and work with them on banking and priority regulatory reforms. He also led a mission to Arusha, Tanzania, in 2013 to lead a workshop on regional banking for the banking associations in the East African Community, including Uganda, Tanzania, Kenya, Rwanda, and Burundi.

The Florida Bankers Association was established in 1888 to advocate on behalf of Florida banks and promote the banking industry in the State. The association provides unparalleled advocacy in Washington, DC, and Tallahassee, excellent educational programming, quality products, and valuable services for Florida's banking industry.

It is my honor to congratulate Alex on his many achievements and on his retirement.●

RECOGNIZING THE ASSOCIATED BUILDERS AND CONTRACTORS FLORIDA EAST COAST CHAPTER

● Mr. SCOTT of Florida. Mr. President, I rise to recognize the Associated Builders and Contractors—ABC—Florida East Coast Chapter and the many vital contributions to commercial, industrial, and infrastructural construction that contractors make, improving the quality of life for the people of Florida.

The ABC Florida East Coast Chapter was founded in 1968 and recognized as the leader of the merit shop construction industry and one of the oldest organizations representing the construction industry in Florida for 55 years. The ABC Florida East Coast Chapter is the single largest provider of apprenticeship education in the State of Florida, educating nearly 700 apprentices annually.

The mission of ABC Florida East Coast Chapter is the advancement of the merit shop construction philosophy, which encourages open competition and a free-enterprise approach that awards construction contracts based solely on merit, regardless of labor affiliation. It represents the profession responsible for the construction of commercial, industrial, and infrastructure projects such as schools, hospitals, office buildings, sports venues, factories, energy production plants, water systems, waste disposal and treatment facilities, roads, bridges, and other public and private facilities that are the foundation on which the economy of Florida stands and grows.

I recognize that the ABC Florida East Coast Chapter, through its education trust, is building tomorrow by recruiting, educating, and training approximately 8,500 skilled workers in the past decade who drive the construction industry forward with the merit shop principles of free enterprise and open competition. The ABC Florida East Coast Chapter's tireless collaboration with builders, contractors, and educators has contributed significantly to the resilience and growth of the construction industry. By providing quality education and fostering a diverse and skilled workforce, the ABC Florida East Coast Chapter is playing a crucial role in building a stronger America.

I wish to extend my heartfelt congratulations to the ABC Florida East Coast Chapter and the ABC Institute for its unwavering commitment to apprentice education. As we look toward a future of economic growth and opportunity, their efforts serve as a shining example of the positive change that can be achieved through dedication and collaboration.●

MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Mrs. Stringer, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

As in executive session the Presiding Officer laid before the Senate a message from the President of the United States submitting a nomination which was referred to the Committee on the Judiciary.

(The message received today is printed at the end of the Senate proceedings.)

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 3343. A bill to provide that United States citizens evacuating Israel shall not be required to reimburse the United States Government, 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–2816. A communication from the Secretary of the Senate, transmitting, pursuant to law, the report of the receipts and expenditures of the Senate for the period from April 1, 2023 through September 30, 2023, received in the Office of the President of the Senate on November 13, 2023; ordered to lie on the table.

EC–2817. A communication from the Under Secretary of Defense (Acquisition and Sustainment), transmitting, pursuant to law, a report relative to waiving the Full-Up System Level requirement for survivability and lethality testing for the Mk21A RV; to the Committee on Armed Services.

EC–2818. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, a report entitled ''Evaluation of the Effectiveness TRICARE Program: Fiscal Year 2022 Report to Congress''; to the Committee on Armed Services.

EC–2819. A communication from the President of the United States to the President pro tempore of the United States Senate, transmitting, consistent with the War Powers Resolution, a report relative to United States forces conducted targeted strikes against facilities in eastern Syria used by Iran's Islamic Revolutionary Guard Corps (IRGC) and IRGC-affiliated groups; to the Committee on Foreign Relations.

EC–2820. A communication from the Secretary of the Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled ''Policy Statement Regarding the Scope of Methods of Unfair Competition Under Section 5 of the Federal Commissions Act'' received in the Office of the President of the Senate on November 9, 2023; to the Committee on the Judiciary.

EC–2821. A communication from the Secretary of the Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled ''Procedures for Submission of Rules Under the Horseracing Integrity and Safety Act'' received in the Office of the President of the Senate on November 9, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2822. A communication from the Secretary of the Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled ''Policy Statement of the Federal Trade Commission on Education Technology and the Children's Online Privacy Protection Act'' received in the Office of the President of the Senate on November 9, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2823. A communication from the Secretary of the Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled ''Telemarketing Sales Rule Fees'' received in the Office of the President of the Senate on November 9, 2023; to the Committee on Commerce, Science, and Transportation.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. PETERS for the Committee on Homeland Security and Governmental Affairs.

*Suzanne Elizabeth Summerlin, of Florida, to be General Counsel of the Federal Labor Relations Authority for a term of five years.

*Jeff Rezmovic, of Maryland, to be Chief Financial Officer, Department of Homeland Security.

*Harry Coker, Jr., of Kansas, to be National Cyber Director.

*Nomination was reported with recommendation that it be confirmed subject tot he nominee's commitment to respond to requests to appear and testify before any duty constituted committee of the Senate.

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. CASEY (for himself, Mr. FETTERMAN, Mr. KAINE, Mr. WARNER, Mr. MANCHIN, and Mr. BROWN):

S. 3304. A bill to ensure that claims for benefits under the Black Lung Benefits Act are processed in a fair and timely manner, to better protect miners from pneumoconiosis (commonly known as ''black lung disease''), and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

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

S. 3305. A bill to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 with respect to minimum participation standards for pension plans and qualified trusts; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KAINE (for himself and Mr. FETTERMAN):

S. 3306. A bill to establish a grant program for institutions of higher education to implement patient-centered academic counseling services for student survivors of sexual assault and other violence; to the Committee on Health, Education, Labor, and Pensions.

By Ms. CORTEZ MASTO (for herself, Mr. CASSIDY, Ms. WARREN, and Mrs. BLACKBURN):

S. 3307. A bill to amend title XVIII of the Social Security Act to require the inclusion of certain information in encounter data under Medicare Advantage; to the Committee on Finance.

By Mr. CASEY (for himself, Mr. BROWN, Ms. WARREN, and Mr. FETTERMAN):

S. 3308. A bill to amend title 5, United States Code, to limit the number of local wage areas allowable within a General Schedule pay locality; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CASEY (for himself and Mrs. FISCHER):

S. 3309. A bill to authorize the Secretary of Agriculture to provide rural partnership program grants and rural partnership technical assistance grants, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

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

S. 3310. A bill to amend the Omnibus Public Land Management Act of 2009 to establish within the Mount Hood National Forest in the State of Oregon Indian Treaty Resources Emphasis Zones, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. SMITH (for herself and Mr. COTTON):

S. 3311. A bill to direct the Secretary of Health and Human Services to conduct a demonstration program to test providing preferential treatment under the Medicare, Medicaid, and CHIP programs for certain drugs and biologicals manufactured in the United States; to the Committee on Finance.

By Mr. THUNE (for himself, Ms. KLOBUCHAR, Mr. WICKER, Mr. HICKENLOOPER, Mr. LUJÁN, and Mrs. CAPITO):

S. 3312. A bill to provide a framework for artificial intelligence innovation and accountability, and for other purposes; to the Committee on Commerce, Science, and Transportation.

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

S. 3313. A bill to amend the Help America Vote Act of 2002 to support State and local governments making a transition to ranked choice voting; to the Committee on Rules and Administration.

By Mr. LEE:

S. 3314. A bill to require certain interactive computer services to adopt and operate technology verification measures to ensure that users of the platform are not minors, and for other purposes; to the Committee on Commerce, Science, and Transportation.

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

S. 3315. A bill to establish a voucher program for the purchase and installation of emission reducing technologies for Class 8 trucks, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. LEE:

S. 3316. A bill to amend title II of the Social Security Act to allow disabled individuals with incurable terminal illnesses listed on the Compassionate Allowance list to receive disability insurance benefits without a waiting period, to prohibit concurrent receipt of disability insurance benefits and unemployment insurance, and for other purposes; to the Committee on Finance.

By Mr. WYDEN (for himself, Mr. WHITEHOUSE, Mr. KING, Ms. WARREN, Mr. SANDERS, Mr. SCHATZ, Mr. REED, Ms. HIRONO, Mr. MARKEY, and Mr. FETTERMAN):

S. 3317. A bill to amend the Internal Revenue Code of 1986 to revise the treatment of partnership interests received in connection with the performance of services, and for other purposes; to the Committee on Finance.

By Mr. CRUZ:

S. 3318. A bill to prohibit the use of funds to implement, administer, or enforce measures requiring certain employees to refer to an individual by the preferred pronouns of such individual or a name other than the legal name of such individual, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. MORAN (for himself, Mr. WARNER, and Mr. SCOTT of South Carolina):

S. 3319. A bill to amend the Investment Company Act of 1940 to address entities that are not considered to be investment companies for the purposes of that Act, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. MARSHALL (for himself and Mr. SCHMITT):

S. 3320. A bill to provide that an individual may not serve as an employee in the executive branch for longer than 12 years, except for Presidential appointees, law enforcement officers, members of the military, and employees of the Department of Defense; to the Committee on Homeland Security and Governmental Affairs.

By Mr. MULLIN (for himself, Mr. KELLY, and Mr. CRAPO):

S. 3321. A bill to require the Federal Communications Commission to ensure equitable and nondiscriminatory contributions to the mechanisms that preserve and advance universal service, to reduce the financial burden on consumers, and for other purposes; to the Committee on Commerce, Science, and Transportation.

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

S. 3322. A bill to allow holders of certain grazing permits to make minor range improvements and to require that the Secretary of Agriculture and the Secretary of the Interior respond to requests for range improvements within 30 days, and for other purposes; to the Committee on Energy and Natural Resources.

By Mrs. GILLIBRAND (for herself, Mr. MERKLEY, Ms. WARREN, Mr. BLUMENTHAL, Ms. CORTEZ MASTO, Mr. DURBIN, and Mr. BOOKER):

S. 3323. A bill to establish the Office of the Ombudsperson for Immigrant Children in Immigration Custody, and for other purposes; to the Committee on the Judiciary.

By Ms. CORTEZ MASTO (for herself, Ms. HASSAN, Ms. KLOBUCHAR, and Mrs. GILLIBRAND):

S. 3324. A bill to modify the penalties for violations of the Telephone Consumer Protection Act of 1993; to the Committee on Commerce, Science, and Transportation.

By Ms. CORTEZ MASTO (for herself and Mrs. FISCHER):

S. 3325. A bill to support research on privacy enhancing technologies and promote responsible data use, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. COLLINS (for herself and Mr. CARDIN):

S. 3326. A bill to improve access to opioid use disorder treatment services under the Medicare program; to the Committee on Finance.

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

S. 3327. A bill to require the Secretary of Health and Human Services to publish a list of hospitals found to be in noncompliance with the hospital price transparency rule; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DURBIN (for himself, Mr. GRAHAM, Mr. WHITEHOUSE, Mr. CORNYN, Ms. KLOBUCHAR, Mr. KENNEDY, Mr. BLUMENTHAL, Mr. TILLIS, and Ms. HIRONO):

S. 3328. A bill to exempt for an additional 4-year period, from the application of the means-test presumption of abuse under chapter 7, qualifying members of reserve components of the Armed Forces and members of the National Guard who, after September 11, 2001, are called to active duty or to perform a homeland defense activity for not less than 90 days; to the Committee on the Judiciary.

By Ms. CORTEZ MASTO:

S. 3329. A bill to require any person that maintains an internet website or that sells or distributes a mobile application that is owned, wholly or partially, by the Chinese Communist Party, by a Chinese state-owned-entity, or by a non-state-owned entity located in the People's Republic of China, or that stores and maintains information collected from such website or application in China, to disclose that fact to any individual who downloads or otherwise uses such website or application; to the Committee on Commerce, Science, and Transportation.

By Mr. BRAUN (for himself, Ms. HASSAN, Mr. MARSHALL, Mr. BUDD, and Mr. KAINE):

S. 3330. A bill to require the Secretary of Labor to conduct a study on the fiduciary duties of pharmacy benefit managers; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WARNER (for himself and Mr. SULLIVAN):

S. 3331. A bill to establish an intermodal transportation infrastructure pilot program, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. KLOBUCHAR (for herself and Mr. CRAMER):

S. 3332. A bill to amend the adoption opportunities program to define unregulated custody transfers of children and to improve awareness and prevention of such transfers, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. KLOBUCHAR (for herself and Mr. CRAMER):

S. 3333. A bill to enhance pre- and post-adoption support services, and for other purposes; to the Committee on Finance.

By Mr. COTTON:

S. 3334. A bill to require reports on and impose sanctions with respect to Iran's development of space-launch vehicles, intercontinental ballistic missiles, and unmanned aerial systems, and for other purposes; to the Committee on Foreign Relations.

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

S. 3335. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to establish a grant program to help law enforcement agencies with civilian law enforcement tasks, and for other purposes; to the Committee on the Judiciary.

By Ms. COLLINS (for herself, Ms. ROSEN, Mr. KELLY, Ms. HASSAN, and Mr. WARNOCK):

S. 3336. A bill to provide compensation for United States victims of Libyan state-sponsored terrorism, and for other purposes; to the Committee on the Judiciary.

By Ms. CORTEZ MASTO:

S. 3337. A bill to establish national data privacy standards in the United States, and for other purposes; to the Committee on Commerce, Science, and Transportation.

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

S. 3338. A bill to provide for a National Disaster Safety Board; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. SHAHEEN (for herself, Mr. COTTON, and Mr. KELLY):

S. 3339. A bill to prohibit former members of the Armed Forces from accepting employment in positions involving training, consulting, advising, or instructing any government-associated individual or entity from the People's Republic of China, the Russian Federation, the Islamic Republic of Iran, the Democratic People's Republic of Korea, the Republic of Cuba, or the Syrian Arab Republic; to the Committee on Veterans' Affairs.

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

S. 3340. A bill to establish the Global Climate Change Resilience Strategy, to authorize the admission of climate-displaced persons into the United States, and for other purposes; to the Committee on Foreign Relations.

By Mr. TESTER (for himself, Mr. MORAN, and Ms. HIRONO):

S. 3341. A bill to improve the emergency management capabilities of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. PETERS (for himself and Mr. WICKER):

S. 3342. A bill to establish the Commercial Space Activity Advisory Committee, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mrs. BLACKBURN (for herself and Ms. ROSEN):

S. 3343. A bill to provide that United States citizens evacuating Israel shall not be required to reimburse the United States Government, and for other purposes; read the first time.

By Mr. PAUL:

S.J. Res. 51. A joint resolution directing the removal of United States Armed Forces from hostilities in Syria that have not been authorized by Congress; 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 Ms. HIRONO (for herself, Ms. BALDWIN, Ms. BUTLER, Mr. FETTERMAN, Mr. MARKEY, Ms. WARREN, Mr. WYDEN, Mr. MERKLEY, and Mr. SCHATZ):

S. Res. 464. A resolution supporting the goals and principles of Transgender Day of Remembrance by recognizing the epidemic of violence toward transgender people and memorializing the lives lost this year; to the Committee on the Judiciary.

By Mr. MARKEY:

S. Res. 465. A resolution expressing support for the designation of November 20, 2023, through December 20, 2023, as ''National Survivors of Homicide Victims Awareness Month''; to the Committee on the Judiciary.

By Ms. HIRONO (for herself, Ms. MURKOWSKI, Mr. KAINE, Mr. VAN HOLLEN, Ms. ROSEN, Mr. CASSIDY, Mr. KING, and Mr. WHITEHOUSE):

S. Res. 466. A resolution calling upon the United States Senate to give its advice and consent to the ratification of the United Nations Convention on the Law of the Sea; to the Committee on Foreign Relations.

By Mr. BENNET (for himself and Mr. HICKENLOOPER):

S. Res. 467. A resolution recognizing the first commemoration of the anti-LGBTQ+ attack that occurred on November 19–20, 2022, at Club Q, an LGBTQ+ bar in Colorado Springs, Colorado; to the Committee on the Judiciary.

By Mr. WARNOCK (for himself and Mrs. CAPITO):

S. Res. 468. A resolution designating November 26, 2023, as ''Drive Safer Sunday''; considered and agreed to.

By Ms. CORTEZ MASTO (for herself and Ms. ROSEN):

S. Res. 469. A resolution commending and congratulating the Las Vegas Aces basketball team on winning the 2023 Women's National Basketball Association Championship; considered and agreed to.

By Mr. BARRASSO (for himself, Ms. SMITH, Mrs. BLACKBURN, Mr. BENNET, Ms. LUMMIS, Mr. MARSHALL, Ms. SINEMA, Mr. DAINES, Ms. ERNST, Mr. HAWLEY, Mrs. CAPITO, Mr. CRAPO, Mr. RISCH, Mr. THUNE, Mr. SCOTT of South Carolina, Mr. LANKFORD, Mr. RICKETTS, Mr. WICKER, Mr. HICKENLOOPER, Mr. CRAMER, Mr. MANCHIN, Mr. MORAN, Mr. TESTER, Mr. VAN HOLLEN, Mr. MERKLEY, Mr. BROWN, and Mr. HEINRICH):

S. Res. 470. A resolution designating November 16th, 2023, as ''National Rural Health Day''; considered and agreed to.

By Ms. KLOBUCHAR (for herself, Mr. CRAMER, Ms. BALDWIN, Mr. BARRASSO, Mr. BENNET, Mrs. BLACKBURN, Mr. BLUMENTHAL, Mr. BOOZMAN, Mr. CASEY, Ms. COLLINS, Mr. CORNYN, Mr. CRAPO, Mr. DAINES, Ms. DUCKWORTH, Mr. DURBIN, Mrs. FISCHER, Mr. GRASSLEY, Ms. HASSAN, Mr. HOEVEN, Mrs. HYDE-SMITH, Mr. KING, Mr. LANKFORD, Mr. MANCHIN, Mr. RISCH, Ms. ROSEN, Mr. RUBIO, Mr. SCOTT of South Carolina, Ms. SMITH, Ms. STABENOW, Mr. TUBERVILLE, Mr. VAN HOLLEN, Ms. WARREN, Mr. WICKER, Mr. WYDEN, Mr. BOOKER, Mr. BRAUN, Ms. LUMMIS, Mr. MULLIN, Mr. SCOTT of Florida, and Mr. THUNE):

S. Res. 471. A resolution expressing support for the goals of National Adoption Day and National Adoption Month by promoting national awareness of adoption and the children awaiting families, celebrating children and families involved in adoption, and encouraging the people of the United States to secure safety, permanency, and well-being for all children; considered and agreed to.

ADDITIONAL COSPONSORS

S. 26

At the request of Mr. HAGERTY, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S. 26, a bill to amend the Internal Revenue Code of 1986 to repeal the amendments made to reporting of third party network transactions by the American Rescue Plan Act of 2021.

S. 120

At the request of Mr. CASSIDY, the name of the Senator from Oklahoma (Mr. MULLIN) was added as a cosponsor of S. 120, a bill to amend the Internal Revenue Code of 1986 to allow a credit against tax for charitable donations to nonprofit organizations providing education scholarships to qualified elementary and secondary students.

S. 462

At the request of Ms. SMITH, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 462, a bill to amend the Public Health Service Act to modify the loan repayment program for the substance use disorder treatment workforce to relieve workforce shortages.

S. 536

At the request of Mr. DAINES, the name of the Senator from Florida (Mr. SCOTT) was added as a cosponsor of S. 536, a bill to authorize the confiscation of assets of the Russian Federation and the use of such assets to offset costs to the United States of assistance to Ukraine.

S. 665

At the request of Ms. KLOBUCHAR, the names of the Senator from Delaware (Mr. CARPER) and the Senator from Nebraska (Mr. RICKETTS) were added as cosponsors of S. 665, a bill to provide incentives to physicians to practice in rural and medically underserved communities, and for other purposes.

S. 726

At the request of Mr. BENNET, the name of the Senator from Minnesota (Ms. SMITH) was added as a cosponsor of S. 726, a bill to amend the Internal Revenue Code of 1986 to modify the private business use requirements for bonds issued for lead service line replacement projects.

S. 1024

At the request of Mr. BOOKER, the name of the Senator from Ohio (Mr.

VANCE) was added as a cosponsor of S. 1024, a bill to authorize the Secretary of Health and Human Services to award grants to eligible entities to develop and implement a comprehensive program to promote student access to defibrillation in public elementary schools and secondary schools.

S. 1165

At the request of Ms. BALDWIN, the names of the Senator from Alaska (Ms. MURKOWSKI) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of S. 1165, a bill to amend title XIX of the Social Security Act to allow States to make medical assistance available to inmates during the 30-day period preceding their release.

S. 1266

At the request of Mr. MORAN, the names of the Senator from Oklahoma (Mr. MULLIN) and the Senator from Maryland (Mr. VAN HOLLEN) were added as cosponsors of S. 1266, a bill to amend titles 10 and 38, United State Code, to improve benefits and services for surviving spouses, and for other purposes.

S. 1300

At the request of Mr. CARDIN, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 1300, a bill to require the Secretary of the Treasury to mint coins in recognition of the late Prime Minister Golda Meir and the 75th anniversary of the United States-Israel relationship.

S. 1349

At the request of Mr. CASSIDY, the names of the Senator from Alabama (Mrs. BRITT) and the Senator from Minnesota (Ms. SMITH) were added as cosponsors of S. 1349, a bill to establish a postsecondary student data system.

S. 1400

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

S. 1625

At the request of Mrs. BLACKBURN, the name of the Senator from Nevada (Ms. CORTEZ MASTO) was added as a cosponsor of S. 1625, a bill to amend the Internal Revenue Code of 1986 to provide for an election to expense certain qualified sound recording costs otherwise chargeable to capital account.

S. 1673

At the request of Ms. CORTEZ MASTO, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 1673, a bill to amend title XVIII to protect patient access to ground ambulance services under the Medicare program.

S. 2085

At the request of Mr. CRAPO, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 2085, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of multi-cancer early detection screening tests.

S. 2372

At the request of Mr. GRASSLEY, the names of the Senator from Nebraska (Mr. RICKETTS) and the Senator from Indiana (Mr. BRAUN) were added as cosponsors 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. 2477

At the request of Mr. THUNE, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 2477, a bill to amend title XVIII of the Social Security Act to provide pharmacy payment of certain services.

S. 2555

At the request of Mr. BLUMENTHAL, the names of the Senator from Maryland (Mr. CARDIN), the Senator from Oregon (Mr. MERKLEY) and the Senator from Illinois (Ms. DUCKWORTH) were added as cosponsors of S. 2555, a bill to amend the Animal Welfare Act to expand and improve the enforcement capabilities of the Attorney General, and for other purposes.

S. 2704

At the request of Mr. PADILLA, the name of the Senator from Virginia (Mr. KAINE) was added as a cosponsor of S. 2704, a bill to amend the Food Security Act of 1985 to establish an exception to certain payment limitations in the case of person or legal entity that derives income from agriculture, and for other purposes.

S. 2825

At the request of Mr. CORNYN, the names of the Senator from Nevada (Ms. ROSEN) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 2825, a bill to award a Congressional Gold Medal to the United States Army Dustoff crews of the Vietnam War, collectively, in recognition of their extraordinary heroism and lifesaving actions in Vietnam.

S. 2888

At the request of Mr. KING, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) 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. 3000

At the request of Mr. PETERS, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 3000, a bill to repeal Freedom Support Act section 907 waiver authority with respect to assistance to Azerbaijan.

S. 3005

At the request of Mr. COONS, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 3005, a bill to amend the Better Utilization of Investments Leading to Development Act of 2018 to enhance the economic and strategic competitiveness of the United States, and for other purposes.

S. 3008

At the request of Ms. SMITH, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 3008, a bill to provide back pay to Federal contractors, and for other purposes.

S. 3021

At the request of Ms. SINEMA, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 3021, a bill to amend title XVIII of the Social Security Act to permanently extend certain in-home cardiopulmonary rehabilitation flexibilities established in response to COVID–19, and for other purposes.

S. 3125

At the request of Ms. COLLINS, the names of the Senator from Alaska (Ms. MURKOWSKI) and the Senator from Alaska (Mr. SULLIVAN) were added as cosponsors of S. 3125, a bill to reauthorize the Runaway and Homeless Youth Act, and for other purposes.

S. 3180

At the request of Ms. COLLINS, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 3180, a bill to establish a working waterfronts grant program.

S. 3192

At the request of Mr. DAINES, the names of the Senator from Arkansas (Mr. COTTON) and the Senator from Indiana (Mr. BRAUN) were added as cosponsors of S. 3192, a bill to designate Ansarallah as a foreign terrorist organization and impose certain sanctions on Ansarallah, and for other purposes.

S. 3234

At the request of Mr. WYDEN, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 3234, a bill to implement reforms relating to foreign intelligence surveillance authorities, and for other purposes.

S. 3303

At the request of Mr. BLUMENTHAL, the name of the Senator from California (Mr. PADILLA) was added as a cosponsor of S. 3303, a bill to amend title 18, United States Code, to protect more victims of domestic violence by preventing their abusers from possessing or receiving firearms, and for other purposes.

At the request of Mr. MURPHY, his name was added as a cosponsor of S. 3303, supra.

S.J. RES. 41

At the request of Mr. CORNYN, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S.J. Res. 41, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by U.S. Citizenship and Immigration Services and the Executive Officer for Immigration Review

relating to ''Circumvention of Lawful Pathways''.

S.J. RES. 49

At the request of Mr. CASSIDY, the names of the Senator from Florida (Mr. SCOTT), the Senator from Arkansas (Mr. COTTON), the Senator from Wyoming (Ms. LUMMIS), the Senator from Iowa (Ms. ERNST), the Senator from Tennessee (Mrs. BLACKBURN), and the Senator from Utah (Mr. ROMNEY) were added as cosponsors of S.J. Res. 49, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the National Labor Relations Board relating to a ''Standard for Determining Joint Employer Status''.

S. RES. 20

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

S. RES. 333

At the request of Mr. DURBIN, the name of the Senator from Maryland (Mr. VAN HOLLEN) 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. 385

At the request of Mr. CARDIN, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. Res. 385, a resolution calling for the immediate release of Evan Gershkovich, a United States citizen and journalist, who was wrongfully detained by the Government of the Russian Federation in March 2023.

S. RES. 408

At the request of Ms. ROSEN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor 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.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. THUNE (for himself, Ms. KLOBUCHAR, Mr. WICKER, Mr. HICKENLOOPER, Mr. LUJÁN, and Mrs. CAPITO):

S. 3312. A bill to provide a framework for artificial intelligence innovation and accountability, and for other purposes; to the Committee on Commerce, Science, and Transportation.

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

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

S. 3312

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 ''Artificial Intelligence Research, Innovation, and Accountability Act of 2023''.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

TITLE I—ARTIFICIAL INTELLIGENCE RESEARCH AND INNOVATION

SEC. 101. OPEN DATA POLICY AMENDMENTS.

Section 3502 of title 44, United States Code, is amended—

(1) in paragraph (22)—

(A) by inserting ''or data model'' after ''a data asset''; and

(B) by striking ''and'' at the end;

(2) in paragraph (23), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

''(24) the term 'data model' means a mathematical, economic, or statistical representation of a system or process used to assist in making calculations and predictions, including through the use of algorithms, computer programs, or artificial intelligence systems; and

''(25) the term 'artificial intelligence system' means an engineered system that—

''(A) generates outputs, such as content, predictions, recommendations, or decisions for a given set of objectives; and

''(B) is designed to operate with varying levels of adaptability and autonomy using machine and human-based inputs.''.

SEC. 102. ONLINE CONTENT AUTHENTICITY AND PROVENANCE STANDARDS RESEARCH AND DEVELOPMENT.

(a) RESEARCH.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary of Commerce for Standards and Technology shall carry out research to facilitate the development and standardization of means to provide authenticity and provenance information for content generated by human authors and artificial intelligence systems.

(2) ELEMENTS.—The research carried out pursuant to paragraph (1) shall cover the following:

(A) Secure and binding methods for human authors of content to append statements of provenance through the use of unique credentials, watermarking, or other data or metadata-based approaches.

(B) Methods for the verification of statements of content provenance to ensure authenticity such as watermarking or classifiers, which are trained models that distinguish artificial intelligence-generated media.

(C) Methods for displaying clear and conspicuous statements of content provenance to the end user.

(D) Technologies or applications needed to facilitate the creation and verification of content provenance information.

(E) Mechanisms to ensure that any technologies and methods developed under this section are minimally burdensome on content producers.

(F) Such other related processes, technologies, or applications as the Under Secretary considers appropriate.

(G) Use of provenance technology to enable attribution for content creators.

(3) IMPLEMENTATION.—The Under Secretary shall carry out the research required by paragraph (1) as part of the research directives pursuant to section 22A(b)(1) of the National Institute of Standards and Technology Act (15 U.S.C. 278h–1(b)(1)).

(b) DEVELOPMENT OF STANDARDS.—

(1) IN GENERAL.—For methodologies and applications related to content provenance and authenticity deemed by the Under Secretary to be at a readiness level sufficient for standardization, the Under Secretary shall provide technical review and assistance to such other Federal agencies and nongovernmental standards organizations as the Under Secretary considers appropriate.

(2) CONSIDERATIONS.—In providing any technical review and assistance related to the development of content provenance and authenticity standards under this subsection, the Under Secretary may—

(A) consider whether a proposed standard is reasonable, practicable, and appropriate for the particular type of media and media environment for which the standard is proposed;

(B) consult with relevant stakeholders; and

(C) review industry standards issued by nongovernmental standards organizations.

(c) PILOT PROGRAM.—

(1) IN GENERAL.—The Under Secretary shall carry out a pilot program to assess the feasibility and advisability of using available technologies and creating open standards to facilitate the creation and verification of content governance information for digital content.

(2) LOCATIONS.—The pilot program required by paragraph (1) shall be carried out at not more than 2 Federal agencies the Under Secretary shall select for purposes of the pilot program required by paragraph (1).

(3) REQUIREMENTS.—In carrying out the pilot program required by paragraph (1), the Under Secretary shall—

(A) apply and evaluate methods for authenticating the origin of and modifications to government-produced digital content using technology and open standards described in paragraph (1); and

(B) make available to the public digital content embedded with provenance or other authentication provided by the heads of the Federal agencies selected pursuant to paragraph (2) for the purposes of the pilot program.

(4) BRIEFING REQUIRED.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter until the date described in paragraph (5), the Under Secretary shall brief the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives on the findings of the Under Secretary with respect to the pilot program carried out under this subsection.

(5) TERMINATION.—The pilot program shall terminate on the date that is 10 years after the date of the enactment of this Act.

(d) REPORT TO CONGRESS.—Not later than 1 year after the date of the enactment of this Act, the Under Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report outlining the progress of standardization initiatives relating to requirements under this section, as well as recommendations for legislative or administrative action to encourage or require the widespread adoption of such initiatives in the United States.

SEC. 103. STANDARDS FOR DETECTION OF EMERGENT AND ANOMALOUS BEHAVIOR AND AI-GENERATED MEDIA.

Section 22A(b)(1) of the National Institute of Standards and Technology Act (15 U.S.C. 278h–1(b)(1)) is amended—

(1) by redesignating subparagraph (I) as subparagraph (K);

(2) in subparagraph (H), by striking ''; and'' and inserting a semicolon; and

(3) by inserting after subparagraph (H) the following:

''(I) best practices for detecting outputs generated by artificial intelligence systems, including content such as text, audio, images, and videos;

''(J) methods to detect and understand anomalous behavior of artificial intelligence systems and safeguards to mitigate potentially adversarial or compromising anomalous behavior; and''.

SEC. 104. COMPTROLLER GENERAL STUDY ON BARRIERS AND BEST PRACTICES TO USAGE OF AI IN GOVERNMENT.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall—

(1) conduct a review of statutory, regulatory, and other policy barriers to the use of artificial intelligence systems to improve the functionality of the Federal Government; and

(2) identify best practices for the adoption and use of artificial intelligence systems by the Federal Government, including—

(A) ensuring that an artificial intelligence system is proportional to the need of the Federal Government;

(B) restrictions on access to and use of an artificial intelligence system based on the capabilities and risks of the artificial intelligence system; and

(C) safety measures that ensure that an artificial intelligence system is appropriately limited to necessary data and compartmentalized from other assets of the Federal Government.

(b) REPORT.—Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report that—

(1) summarizes the results of the review conducted under subsection (a)(1) and the best practices identified under subsection (a)(2), including recommendations, as the Comptroller General of the United States considers appropriate;

(2) describes any laws, regulations, guidance documents, or other policies that may prevent the adoption of artificial intelligence systems by the Federal Government to improve certain functions of the Federal Government, including—

(A) data analysis and processing;

(B) paperwork reduction;

(C) contracting and procurement practices; and

(D) other Federal Government services; and

(3) includes, as the Comptroller General of the United States considers appropriate, recommendations to modify or eliminate barriers to the use of artificial intelligence systems by the Federal Government.

TITLE II—ARTIFICIAL INTELLIGENCE ACCOUNTABILITY

SEC. 201. DEFINITIONS.

In this title:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Energy and Natural Resources and the Committee on Commerce, Science, and Transportation of the Senate;

(B) the Committee on Energy and Commerce of the House of Representatives; and

(C) each congressional committee with jurisdiction over an applicable covered agency.

(2) ARTIFICIAL INTELLIGENCE SYSTEM.—The term ''artificial intelligence system'' means an engineered system that—

(A) generates outputs, such as content, predictions, recommendations, or decisions for a given set of human-defined objectives; and

(B) is designed to operate with varying levels of adaptability and autonomy using machine and human-based inputs.

(3) COVERED AGENCY.—the term ''covered agency'' means an agency for which the Under Secretary develops an NIST recommendation.

(4) COVERED INTERNET PLATFORM.—

(A) IN GENERAL.—The term ''covered internet platform''—

(i) means any public-facing website, consumer-facing internet application, or mobile application available to consumers in the United States; and

(ii) includes a social network site, video sharing service, search engine, and content aggregation service.

(B) EXCLUSIONS.—The term ''covered internet platform'' does not include a platform that—

(i) is wholly owned, controlled, and operated by a person that—

(I) during the most recent 180-day period, did not employ more than 500 employees;

(II) during the most recent 3-year period, averaged less than $50,000,000 in annual gross receipts; and

(III) on an annual basis, collects or processes the personal data of less than 1,000,000 individuals; or

(ii) is operated for the sole purpose of conducting research that is not directly or indirectly made for profit.

(5) CRITICAL-IMPACT AI ORGANIZATION.—The term ''critical-impact AI organization'' means a non-government organization that serves as the deployer of a critical-impact artificial intelligence system.

(6) CRITICAL-IMPACT ARTIFICIAL INTELLIGENCE SYSTEM.—The term ''critical-impact artificial intelligence system'' means an artificial intelligence system that—

(A) is deployed for a purpose other than solely for use by the Department of Defense or an intelligence agency (as defined in section 3094(e) of the National Security Act of 1947 (50 U.S.C. 3094(3)) ; and

(B) is used or intended to be used—

(i) to make decisions that have a legal or similarly significant effect on—

(I) the real-time or ex post facto collection of biometric data of natural persons by biometric identification systems without their consent;

(II) the direct management and operation of critical infrastructure (as defined in section 1016(e) of the USA PATRIOT Act (42 U.S.C. 5195c(e)) and space-based infrastructure; or

(III) criminal justice (as defined in section 901 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10251)); and

(ii) in a manner that poses a significant risk to rights afforded under the Constitution of the United States or safety.

(7) DEPLOYER.—The term ''deployer''—

(A) means an entity that uses or operates an artificial intelligence system for internal use or for use by third parties; and

(B) does not include an entity that is solely an end user of a system.

(8) DEVELOPER.—The term ''developer'' means an entity that—

(A) designs, codes, produces, or owns an artificial intelligence system for internal use or for use by a third party as a baseline model; and

(B) does not act as a deployer of the artificial intelligence system described in subparagraph (A).

(9) GENERATIVE ARTIFICIAL INTELLIGENCE SYSTEM.—The term ''generative artificial intelligence system'' means an artificial intelligence system that generates novel data or content in a written, audio, or visual format.

(10) HIGH-IMPACT ARTIFICIAL INTELLIGENCE SYSTEM.—The term ''high-impact artificial intelligence system'' means an artificial intelligence system—

(A) deployed for a purpose other than solely for use by the Department of Defense or an intelligence agency (as defined in section 3094(e) of the National Security Act of 1947 (50 U.S.C. 3094(3)); and

(B) that is specifically developed with the intended purpose of making decisions that have a legal or similarly significant effect on the access of an individual to housing, employment, credit, education, healthcare, or insurance in a manner that poses a significant risk to rights afforded under the Constitution of the United States or safety.

(11) NIST RECOMMENDATION.—The term ''NIST recommendation'' means a sector-specific recommendation developed under section 22B(b)(1) of the National Institute of Standards and Technology Act, as added by section 204 of this Act.

(12) SECRETARY.—The term ''Secretary'' means the Secretary of Commerce.

(13) SIGNIFICANT RISK.—The term ''significant risk'' means a combination of severe, high-intensity, high-probability, and long-duration risk of harm to individuals.

(14) TEVV.—The term ''TEVV'' means the testing, evaluation, validation, and verification of any artificial intelligence system that includes—

(A) open, transparent, testable, and verifiable specifications that characterize realistic operational performance, such as precision and accuracy for relevant tasks;

(B) testing methodologies and metrics that enable the evaluation of system trustworthiness, including robustness and resilience;

(C) data quality standards for training and testing datasets;

(D) requirements for system validation and integration into production environments, automated testing, and compliance with existing legal and regulatory specifications;

(E) methods and tools for—

(i) the monitoring of system behavior;

(ii) the tracking of incidents or errors reported and their management; and

(iii) the detection of emergent properties and related impacts; and

(F) and processes for redress and response.

(15) UNDER SECRETARY.—The term ''Under Secretary'' means the Director of the National Institute of Standards and Technology.

SEC. 202. GENERATIVE ARTIFICIAL INTELLIGENCE TRANSPARENCY.

(a) PROHIBITION.—

(1) IN GENERAL.—Subject to paragraph (2), it shall be unlawful for a person to operate a covered internet platform that uses a generative artificial intelligence system.

(2) DISCLOSURE OF USE OF GENERATIVE ARTIFICIAL INTELLIGENCE SYSTEMS.—

(A) IN GENERAL.—A person may operate a covered internet platform that uses a generative artificial intelligence system if the person provides notice to each user of the covered internet platform that the covered internet platform uses a generative artificial intelligence system to generate content the user sees.

(B) REQUIREMENTS.—A person providing the notice described in subparagraph (A) to a user—

(i) subject to clause (ii), shall provide the notice in a clear and conspicuous manner on the covered internet platform before the user interacts with content produced by a generative artificial intelligence system; and

(ii) may provide an option for the user to choose to see the notice described in clause (i) only upon the first interaction of the user with content produced by a generative artificial intelligence system.

(b) ENFORCEMENT ACTION.—Upon learning that a covered internet platform does not comply with the requirements under this section, the Secretary—

(1) shall immediately—

(A) notify the covered internet platform of the finding; and

(B) order the covered internet platform to take remedial action to address the noncompliance of the generative artificial intelligence system operated by the covered internet platform; and

(2) may, as determined appropriate or necessary by the Secretary, take enforcement action under section 208 if the covered internet platform does not take sufficient action to remedy the noncompliance within 15 days of the notification under paragraph (1)(A).

(c) EFFECTIVE DATE.—This section shall take effect on the date that is 180 days after the date of enactment of this Act.

SEC. 203. TRANSPARENCY REPORTS FOR HIGH-IMPACT ARTIFICIAL INTELLIGENCE SYSTEMS.

(a) TRANSPARENCY REPORTING.—

(1) IN GENERAL.—Each deployer of a high-impact artificial intelligence system shall—

(A) before deploying the high-impact artificial intelligence system, and annually thereafter, submit to the Secretary a report describing the design and safety plans for the artificial intelligence system; and

(B) submit to the Secretary an updated report on the high-impact artificial intelligence system if the deployer makes a material change to—

(i) the purpose for which the high-impact artificial intelligence system is used; or

(ii) the type of data the high-impact artificial intelligence system processes or uses for training purposes.

(2) CONTENTS.—Each transparency report submitted under paragraph (1) shall include, with respect to the high-impact artificial intelligence system—

(A) the purpose;

(B) the intended use cases;

(C) deployment context;

(D) benefits;

(E) a description of data that the high-impact artificial intelligence system, once deployed, processes as inputs;

(F) if available—

(i) a list of data categories and formats the deployer used to retrain or continue training the high-impact artificial intelligence system;

(ii) metrics for evaluating the high-impact artificial intelligence system performance and known limitations; and

(iii) transparency measures, including information identifying to individuals when a high-impact artificial intelligence system is in use;

(G) processes and testing performed before each deployment to ensure the high-impact artificial intelligence system is safe, reliable, and effective;

(H) if applicable, an identification of any third-party artificial intelligence systems or datasets the deployer relies on to train or operate the high-impact artificial intelligence system; and

(I) post-deployment monitoring and user safeguards, including a description of the oversight process in place to address issues as issues arise.

(b) DEVELOPER OBLIGATIONS.—The developer of a high-impact artificial intelligence system shall be subject to the same obligations as a developer of a critical impact artificial intelligence system under section 206(c).

(c) CONSIDERATIONS.—In carrying out subsection (a) and (b), a deployer or developer of a high-impact artificial intelligence system shall consider the best practices outlined in the most recent version of the risk management framework developed pursuant to section 22A(c) of the National Institute of Standards and Technology Act (15 U.S.C. 278h–1(c)).

(d) NONCOMPLIANCE AND ENFORCEMENT ACTION.—Upon learning that a deployer of a high-impact artificial intelligence system is not in compliance with the requirements under this section with respect to a high-impact artificial intelligence system, the Secretary—

(1) shall immediately—

(A) notify the deployer of the finding; and

(B) order the deployer to immediately submit to the Secretary the report required under subsection (a)(1); and

(2) if the deployer fails to submit the report by the date that is 15 days after the date of the notification under paragraph (1)(A), may take enforcement action under section 208.

(e) AVOIDANCE OF DUPLICATION.—

(1) IN GENERAL.—Pursuant to the deconfliction of duplicative requirements under paragraph (2), the Secretary shall ensure that the requirements under this section are not unnecessarily burdensome or duplicative of requirements made or oversight conducted by a covered agency regarding the non-Federal use of high-impact artificial intelligence systems.

(2) DECONFLICTION OF DUPLICATIVE REQUIREMENTS.—Not later than 90 days after the date of the enactment of this Act, and annually thereafter, the Secretary, in coordination with the head of any relevant covered agency, shall complete the deconfliction of duplicative requirements relating to the submission of a transparency report for a high-impact artificial intelligence system under this section.

(f) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to require a deployer of a high-impact artificial intelligence system to disclose any information, including data or algorithms—

(1) relating to a trade secret or other protected intellectual property right;

(2) that is confidential business information; or

(3) that is privileged.

SEC. 204. RECOMMENDATIONS TO FEDERAL AGENCIES FOR RISK MANAGEMENT OF HIGH-IMPACT ARTIFICIAL INTELLIGENCE SYSTEMS.

The National Institute of Standards and Technology Act (15 U.S.C. 278h–1) is amended by inserting after section 22A the following:

''SEC. 22B. RECOMMENDATIONS TO FEDERAL AGENCIES FOR SECTOR-SPECIFIC OVERSIGHT OF ARTIFICIAL INTELLIGENCE.

''(a) DEFINITION OF HIGH-IMPACT ARTIFICIAL INTELLIGENCE SYSTEM.—In this section, the term 'high-impact artificial intelligence system' means an artificial intelligence system—

''(1) deployed for purposes other than those solely for use by the Department of Defense or an element of the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)); and

''(2) that is specifically developed with the intended purpose of making decisions that have a legal or similarly significant effect on the access of an individual to housing, employment, credit, education, health care, or insurance in a manner that poses a significant risk to rights afforded under the Constitution of the United States or to safety.

''(b) SECTOR-SPECIFIC RECOMMENDATIONS.—Not later than 1 year after the date of the enactment of the Artificial Intelligence Research, Innovation, and Accountability Act of 2023, the Director shall—

''(1) develop sector-specific recommendations for individual Federal agencies to conduct oversight of the non-Federal, and, as appropriate, Federal use of high-impact artificial intelligence systems to improve the safe and responsible use of such systems; and

''(2) not less frequently than biennially, update the sector-specific recommendations to account for changes in technological capabilities or artificial intelligence use cases.

''(c) REQUIREMENTS.—In developing recommendations under subsection (b), the Director shall use the voluntary risk management framework required by section 22A(c) to identify and provide recommendations to a Federal agency—

''(1) to establish regulations, standards, guidelines, best practices, methodologies, procedures, or processes to facilitate oversight of non-Federal use of high-impact artificial intelligence systems;

''(2) to mitigate risks from such high-impact artificial intelligence systems.

''(d) RECOMMENDATIONS.—In developing recommendations under subsection (b), the Director may include the following:

''(1) Key design choices made during high-impact artificial intelligence model development, including rationale and assumptions made.

''(2) Intended use and users, other possible use cases, including any anticipated undesirable or potentially harmful use cases, and what good faith efforts model developers can take to mitigate the use of the system in harmful ways.

''(3) Methods for evaluating the safety of high-impact artificial intelligence systems and approaches for responsible use.

''(4) Sector-specific differences in what constitutes acceptable high-impact artificial intelligence model functionality and trustworthiness, metrics used to determine high-impact artificial intelligence model performance, and any test results reflecting application of these metrics to evaluate high-impact artificial intelligence model performance across different sectors.

''(5) Recommendations to support iterative development of subsequent recommendations under subsection (b).

''(e) CONSULTATION.—In developing recommendations under subsection (b), the Director shall, as the Director considers applicable and practicable, consult with relevant covered agencies and stakeholders representing perspectives from civil society, academia, technologists, engineers, and creators.''.

SEC. 205. OFFICE OF MANAGEMENT AND BUDGET OVERSIGHT OF RECOMMENDATIONS TO AGENCIES.

(a) RECOMMENDATIONS.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Under Secretary shall submit to the Director, the head each covered agency, and the appropriate congressional committees each NIST recommendation.

(2) AGENCY RESPONSES TO RECOMMENDATIONS.—Not later than 90 days after the date on which the Under Secretary submits a NIST recommendation to the head of a covered agency under paragraph (1), the head of the covered agency shall transmit to the Director a formal written response to the NIST recommendation that—

(A) indicates whether the head of the covered agency intends to—

(i) carry out procedures to adopt the complete NIST recommendation;

(ii) carry out procedures to adopt a part of the NIST recommendation; or

(iii) refuse to carry out procedures to adopt the NIST recommendation; and

(B) includes—

(i) with respect to a formal written response described in clause (i) or (ii) of subparagraph (A), a copy of a proposed timetable for completing the procedures described in that clause;

(ii) with respect to a formal written response described in subparagraph (A)(ii), the reasons for the refusal to carry out procedures with respect to the remainder of the NIST recommendation described in that subparagraph; and

(iii) with respect to a formal written response described in subparagraph (A)(iii), the reasons for the refusal to carry out procedures.

(b) PUBLIC AVAILABILITY.—The Director shall make a copy of each NIST recommendation and each written formal response of a covered agency required under subsection (a)(2) available to the public at reasonable cost.

(c) REPORTING REQUIREMENTS.—

(1) ANNUAL SECRETARIAL REGULATORY STATUS REPORTS.—

(A) IN GENERAL.—On the first February 1 occurring after the date of enactment of this Act, and annually thereafter until the date described in subparagraph (B), the head of each covered agency shall submit to the Director a report containing the regulatory status of each NIST recommendation.

(B) CONTINUED REPORTING.—The date described in this subparagraph is the date on which the head of a covered agency—

(i) takes final regulatory action with respect to a NIST recommendation; and

(ii) determines and states in a report required under subparagraph (A) that no regulatory action should be taken with respect to a NIST recommendation.

(2) COMPLIANCE REPORT TO CONGRESS.—On April 1 of each year, the Director shall—

(A) review the reports received under paragraph (1)(A); and

(B) transmit comments on the reports to the heads of covered agencies and the appropriate congressional committees.

(3) FAILURE TO REPORT.—If, on March 1 of each year, the Director has not received a report required under paragraph (1)(A) from the head of a covered agency, the Director shall notify the appropriate congressional committees of the failure.

(d) TECHNICAL ASSISTANCE IN CARRYING OUT RECOMMENDATIONS.—The Under Secretary shall provide assistance to the heads of covered agencies relating to the implementation of the NIST recommendations the heads of covered agencies intend to carry out.

(e) REGULATION REVIEW AND IMPROVEMENT.—The Administrator of the Office of Information and Regulatory Affairs of the Office of Management and Budget, in consultation with the Under Secretary, shall develop and periodically revise performance indicators and measures for sector-specific regulation of artificial intelligence.

SEC. 206. RISK MANAGEMENT ASSESSMENT FOR CRITICAL-IMPACT ARTIFICIAL INTELLIGENCE SYSTEMS.

(a) REQUIREMENT.—

(1) IN GENERAL.—Each critical-impact AI organization shall perform a risk management assessment in accordance with this section.

(2) ASSESSMENT.—Each critical-impact AI organization shall—

(A) not later than 30 days before the date on which a critical-impact artificial intelligence system is made publicly available by the critical-impact AI organization, perform a risk management assessment; and

(B) not less frequently than biennially during the period beginning on the date of enactment of this Act and ending on the date on which the applicable critical-impact artificial intelligence system is no longer being made publicly available by the critical-impact AI organization, as applicable, conduct an updated risk management assessment that—

(i) may find that no significant changes were made to the critical-impact artificial intelligence system; and

(ii) provides, to the extent practicable, aggregate results of any significant deviation from expected performance detailed in the assessment performed under subparagraph (A) or the most recent assessment performed under this subparagraph.

(3) REVIEW.—

(A) IN GENERAL.—Not later than 90 days after the date of completion of a risk management assessment by a critical-impact AI organization under this section, the critical-impact AI organization shall submit to the Secretary a report—

(i) outlining the assessment performed under this section; and

(ii) that is in a consistent format, as determined by the Secretary.

(B) ADDITIONAL INFORMATION.—Subject to subsection (d), the Secretary may request that a critical-impact AI organization submit to the Secretary any related additional or clarifying information with respect to a risk management assessment performed under this section.

(4) LIMITATION.— The Secretary may not prohibit a critical-impact AI organization from making a critical-impact artificial intelligence system available to the public based on the review by the Secretary of a report submitted under paragraph (3)(A) or additional or clarifying information submitted under paragraph (3)(B).

(b) ASSESSMENT SUBJECT AREAS.—Each assessment performed by a critical-impact AI organization under subsection (a) shall describe the means by which the critical-impact AI organization is addressing, through a documented TEVV process, the following categories:

(1) Policies, processes, procedures, and practices across the organization relating to transparent and effective mapping, measuring, and managing of artificial intelligence risks, including—

(A) how the organization understands, manages, and documents legal and regulatory requirements involving artificial intelligence;

(B) how the organization integrates characteristics of trustworthy artificial intelligence, which include valid, reliable, safe, secure, resilient, accountable, transparent, globally and locally explainable, interpretable, privacy-enhanced, and fair with harmful bias managed, into organizational policies, processes, procedures, and practices;

(C) a methodology to determine the needed level of risk management activities based on the organization's risk tolerance; and

(D) how the organization establishes risk management processes and outcomes through transparent policies, procedures, and other controls based on organizational risk priorities.

(2) The structure, context, and capabilities of the critical-impact artificial intelligence system or critical-impact foundation model, including—

(A) how the context was established and understood;

(B) capabilities, targeted uses, goals, and expected costs and benefits; and

(C) how risks and benefits are mapped for each system component.

(3) A description of how the organization employs quantitative, qualitative, or mixed-method tools, techniques, and methodologies to analyze, assess, benchmark, and monitor artificial intelligence risk, including—

(A) identification of appropriate methods and metrics;

(B) how artificial intelligence systems are evaluated for trustworthy characteristics;

(C) mechanisms for tracking artificial intelligence system risks over time; and

(D) processes for gathering and assessing feedback relating to the efficacy of measurement.

(4) A description of allocation of risk resources to map and measure risks on a regular basis as described in paragraph (1), including—

(A) how artificial intelligence risks based on assessments and other analytical outputs described in paragraphs (2) and (3) are prioritized, responded to, and managed;

(B) how strategies to maximize artificial intelligence benefits and minimize negative impacts were planned, prepared, implemented, documented, and informed by input from relevant artificial intelligence deployers;

(C) management of artificial intelligence system risks and benefits; and

(D) regular monitoring of risk treatments, including response and recovery, and communication plans for the identified and measured artificial intelligence risks, as applicable.

(c) DEVELOPER OBLIGATIONS.—The developer of a critical-impact artificial intelligence system that agrees through a contract or license to provide technology or services to a deployer of the critical-impact artificial intelligence system shall provide to the deployer of the critical-impact artificial intelligence system the information reasonably necessary for the deployer to comply with the requirements under subsection (a), including—

(1) an overview of the data used in training the baseline artificial intelligence system provided by the developer, including—
(A) data size;
(B) data sources;
(C) copyrighted data; and
(D) personal identifiable information;
(2) documentation outlining the structure and context of the baseline artificial intelligence system of the developer, including—
(A) input modality;
(B) output modality;
(C) model size; and
(D) model architecture;
(3) known capabilities, limitations, and risks of the baseline artificial intelligence system of the developer at the time of the development of the artificial intelligence system; and
(4) documentation for downstream use, including—
(A) a statement of intended purpose;
(B) guidelines for the intended use of the artificial intelligence system, including a list of permitted, restricted, and prohibited uses and users; and
(C) a statement of the potential for deviation from the intended purpose of the baseline artificial intelligence system.

(d) TERMINATION OF OBLIGATION TO DISCLOSE INFORMATION.—
(1) IN GENERAL.—The obligation of a critical-impact AI organization to provide information, upon request of the Secretary, relating to a specific assessment category under subsection (b) shall end on the date of issuance of a relevant standard applicable to the same category of a critical -impact artificial intelligence system by—
(A) the Secretary under section 207(c) with respect to a critical-impact artificial intelligence system;
(B) another department or agency of the Federal Government, as determined applicable by the Secretary; or
(C) a non-governmental standards organization, as determined appropriate by the Secretary.
(2) EFFECT OF NEW STANDARD.—In adopting any standard applicable to critical-impact artificial intelligence systems under section 207(c), the Secretary shall—
(A) identify the category under subsection (b) to which the standard relates, if any; and
(B) specify the information that is no longer required to be included in a report required under subsection (a) as a result of the new standard.

(e) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to require a critical-impact AI organization, or permit the Secretary, to disclose any information, including data or algorithms—
(1) relating to a trade secret or other protected intellectual property right;
(2) that is confidential business information; or
(3) that is privileged.

SEC. 207. CERTIFICATION OF CRITICAL-IMPACT ARTIFICIAL INTELLIGENCE SYSTEMS.

(a) ESTABLISHMENT OF ARTIFICIAL INTELLIGENCE CERTIFICATION ADVISORY COMMITTEE.—
(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish an advisory committee to provide advice and recommendations on TEVV standards and the certification of critical-impact artificial intelligence systems.
(2) DUTIES.—The advisory committee established under this section shall advise the Secretary on matters relating to the testing and certification of critical-impact artificial intelligence systems, including by—
(A) providing recommendations to the Secretary on proposed TEVV standards to ensure such standards—
(i) maximize alignment and interoperability with standards issued by nongovernmental standards organizations and international standards bodies;
(ii) are performance-based and impact-based; and
(iii) are applicable or necessary to facilitate the deployment of critical-impact artificial intelligence systems in a transparent, secure, and safe manner;
(B) reviewing prospective TEVV standards submitted by the Secretary to ensure such standards align with recommendations under subparagraph (A);
(C) upon completion of the review under subparagraph (B), providing consensus recommendations to the Secretary on—
(i) whether a TEVV standard should be issued, modified, revoked, or added; and
(ii) if such a standard should be issued, how best to align the standard with the considerations described in subsection (c)(2) and recommendations described in subparagraph (A); and
(D) reviewing and providing advice and recommendations on the plan and subsequent updates to the plan submitted under subsection (b).
(3) COMPOSITION.—The advisory committee established under this subsection shall be composed of not more than 15 members with a balanced composition of representatives of the private sector, institutions of higher education, and non-profit organizations, including—
(A) representatives of—
(i) institutions of higher education;
(ii) companies developing or operating artificial intelligence systems;
(iii) consumers or consumer advocacy groups; and
(iv) enabling technology companies; and
(B) any other members the Secretary considers to be appropriate.
(b) ARTIFICIAL INTELLIGENCE CERTIFICATION PLAN.—
(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall establish a 3-year implementation plan for the certification of critical-impact artificial intelligence systems.
(2) PERIODIC UPDATE.—The Secretary shall periodically update the plan established under paragraph (1).
(3) CONTENTS.—The plan established under paragraph (1) shall include—
(A) a methodology for gathering and using relevant, objective, and available information relating to TEVV;
(B) a process for considering whether prescribing certain TEVV standards under subsection (c) for critical-impact artificial intelligence systems is appropriate, necessary, or duplicative of existing international standards;
(C) if TEVV standards are considered appropriate, a process for prescribing such standards for critical-impact artificial intelligence systems; and
(D) an outline of standards proposed to be issued, including an estimation of the timeline and sequencing of such standards.
(4) CONSULTATION.—In developing the plan required under paragraph (1), the Secretary shall consult the following:
(A) The National Artificial Intelligence Initiative Office.
(B) The interagency committee established under section 5103 of the National Artificial Intelligence Initiative Act of 2020 (15 U.S.C. 9413).
(C) The National Artificial Intelligence Advisory Committee.
(D) Industry consensus standards issued by non-governmental standards organizations.
(E) Other departments, agencies, and instrumentalities of the Federal Government, as considered appropriate by the Secretary.
(5) SUBMISSION TO CERTIFICATION ADVISORY COMMITTEE.—Upon completing the initial plan required under this subsection and upon completing periodic updates to the plan under paragraph (2), the Secretary shall submit the plan to the advisory committee established under subsection (a) for review.
(6) SUBMISSION TO COMMITTEES OF CONGRESS.—Upon completing the plan required under this subsection, the Secretary shall submit to the relevant committees of Congress a report containing the plan.
(7) LIMITATION.—The Secretary may not issue TEVV standards under subsection (c) until the date of the submission of the plan under paragraphs (5) and (6).
(c) STANDARDS.—
(1) STANDARDS.—
(A) IN GENERAL.—The Secretary shall issue TEVV standards for critical-impact artificial intelligence systems.
(B) REQUIREMENTS.—Each standard issued under this subsection shall—
(i) be practicable;
(ii) meet the need for safe, secure, and transparent operations of critical-impact artificial intelligence systems;
(iii) with respect to a relevant standard issued by a non-governmental standards organization that is already in place, align with and be interoperable with that standard;
(iv) provide for a mechanism to, not less frequently than once every 2 years, solicit public comment and update the standard to reflect advancements in technology and system architecture; and
(v) be stated in objective terms.
(2) CONSIDERATIONS.—In issuing TEVV standards for critical-impact artificial intelligence systems under this subsection, the Secretary shall—
(A) consider relevant available information concerning critical-impact artificial intelligence systems, including—
(i) transparency reports submitted under section 203(a);
(ii) risk management assessments conducted under section 206(a); and
(iii) any additional information provided to the Secretary pursuant to section 203(a)(1)(B);
(B) consider whether a proposed standard is reasonable, practicable, and appropriate for the particular type of critical-impact artificial intelligence system for which the standard is proposed;
(C) consult with relevant artificial intelligence stakeholders and review industry standards issued by nongovernmental standards organizations;
(D) pursuant to paragraph (1)(B)(iii), consider whether adoption of a relevant standard issued by a nongovernmental standards organization as a TEVV standard is the most appropriate action; and
(E) consider whether the standard takes into account—
(i) transparent, replicable, and objective assessments of critical-impact artificial intelligence system risk, structure, capabilities, and design;
(ii) the risk posed to the public by an applicable critical-impact artificial intelligence system; and
(iii) the diversity of methodologies and innovative technologies and approaches available to meet the objectives of the standard.
(3) CONSULTATION.—Before finalizing a TEVV standard issued under this subsection, the Secretary shall submit the TEVV standard to the advisory committee established under subsection (a) for review.
(4) PUBLIC COMMENT.—Before issuing any TEVV standard under this subsection, the

Secretary shall provide an opportunity for public comment.

(5) COOPERATION.—In developing a TEVV standard under this subsection, the Secretary may, as determined appropriate, advise, assist, and cooperate with departments, agencies, and instrumentalities of the Federal Government, States, and other public and private agencies.

(6) EFFECTIVE DATE OF STANDARDS.—

(A) IN GENERAL.—The Secretary shall specify the effective date of a TEVV standard issued under this subsection in the order issuing the standard.

(B) LIMITATION.—Subject to subparagraph (C), a TEVV standard issued under this subsection may not become effective—

(i) during the 180-day period following the date on which the TEVV standard is issued; and

(ii) more than 1 year after the date on which the TEVV standard is issued.

(C) EXCEPTION.—Subparagraph (B) shall not apply to the effective date of a TEVV standard issued under this section if the Secretary—

(i) finds, for good cause shown, that a different effective date is in the public interest; and

(ii) publishes the reasons for the finding under clause (i).

(7) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to authorize the Secretary to impose any requirements on or take any enforcement actions under this section or section 208 relating to a critical-impact AI organization before a TEVV standard relating to those requirements is prescribed.

(d) EXEMPTIONS.—

(1) AUTHORITY TO EXEMPT AND PROCEDURES.—

(A) IN GENERAL.—The Secretary may exempt, on a temporary basis, a critical-impact artificial intelligence system from a TEVV standard issued under subsection (c) on terms the Secretary considers appropriate.

(B) RENEWAL.—An exemption under subparagraph (A)—

(i) may be renewed only on reapplication; and

(ii) shall conform to the requirements of this paragraph.

(C) PROCEEDINGS.—

(i) IN GENERAL.—The Secretary may begin a proceeding to grant an exemption to a critical-impact artificial intelligence system under this paragraph if the critical-impact AI organization that deployed the critical-impact artificial intelligence systems applies for an exemption or a renewal of an exemption.

(ii) NOTICE AND COMMENT.—The Secretary shall publish notice of the application under clause (i) and provide an opportunity to comment.

(iii) FILING.—An application for an exemption or for a renewal of an exemption under this paragraph shall be filed at such time and in such manner and contain such information as the Secretary may require.

(D) ACTIONS.—The Secretary may grant an exemption under this paragraph upon finding that—

(i) the exemption is consistent with the public interest and this section; and

(ii) the exemption would facilitate the development or evaluation of a feature or characteristic of a critical-impact artificial intelligence system providing a safety and security level that is not less than the TEVV standard level.

(2) DISCLOSURE.—Not later than 30 days after the date on which an application is filed under this subsection, the Secretary may make public information contained in the application or relevant to the application, unless the information concerns or is related to a trade secret or other confidential information not relevant to the application.

(3) NOTICE OF DECISION.—The Secretary shall publish in the Federal Register a notice of each decision granting or denying an exemption under this subsection and the reasons for granting or denying that exemption, including a justification with supporting information for the selected approach.

(e) SELF-CERTIFICATION OF COMPLIANCE.—

(1) IN GENERAL.—Subject to paragraph (2), with respect to each critical-impact artificial intelligence system of a critical-impact AI organization, the critical-impact AI organization shall certify to the Secretary that the critical-impact artificial intelligence system complies with applicable TEVV standards issued under this section.

(2) EXCEPTION.—A critical-impact AI organization may not issue a certificate under paragraph (1) if, in exercising reasonable care, the critical-impact AI organization has constructive knowledge that the certificate is false or misleading in a material respect.

(f) NONCOMPLIANCE FINDINGS AND ENFORCEMENT ACTION.—

(1) FINDING OF NONCOMPLIANCE BY SECRETARY.—Upon learning that a critical-impact artificial intelligence system deployed by a critical-impact AI organization does not comply with the requirements under this section, the Secretary shall—

(A) immediately—

(i) notify the critical-impact AI organization of the finding; and

(ii) order the critical-impact AI organization to take remedial action to address the noncompliance of the artificial intelligence system; and

(B) may, as determined appropriate or necessary by the Secretary, and if the Secretary determines that actions taken by a critical-impact AI organization are insufficient to remedy the noncompliance of the critical-impact AI organization with this section, take enforcement action under section 208.

(2) ACTIONS BY CRITICAL-IMPACT AI ORGANIZATION.—If a critical-impact AI organization finds that a critical-impact artificial intelligence system deployed by the critical-impact AI organization is noncompliant with an applicable TEVV standard issued under this section or the critical-impact AI organization is notified of noncompliance by the Secretary under paragraph (1)(A)(i), the critical-impact AI organization shall—

(A) without undue delay, notify the Secretary by certified mail or electronic mail of the noncompliance or receipt of the notification of noncompliance;

(B) take remedial action to address the noncompliance; and

(C) not later than 10 days after the date of the notification or receipt under subparagraph (A), submit to the Secretary a report containing information on—

(i) the nature and discovery of the noncompliant aspect of the critical-impact artificial intelligence system;

(ii) measures taken to remedy such noncompliance; and

(iii) actions taken by the critical-impact AI organization to address stakeholders affected by such noncompliance.

SEC. 208. ENFORCEMENT.

(a) IN GENERAL.—Upon discovering noncompliance with a provision of this Act by a deployer of a high-impact artificial intelligence system or a critical-impact AI organization if the Secretary determines that actions taken by the critical-impact AI organization are insufficient to remedy the noncompliance, the Secretary shall take an action described in this section.

(b) CIVIL PENALTIES.—

(1) IN GENERAL.—The Secretary may impose a penalty described in paragraph (2) on deployer of a high-impact artificial intelligence system or a critical-impact AI organization for each violation by that entity of this Act or any regulation or order issued under this Act.

(2) PENALTY DESCRIBED.—The penalty described in this paragraph is the greater of—

(A) an amount not to exceed $300,000; or

(B) an amount that is twice the value of the transaction that is the basis of the violation with respect to which the penalty is imposed.

(c) VIOLATION WITH INTENT.—

(1) IN GENERAL.—If the Secretary determines that a deployer of a high-impact artificial intelligence system or a critical-impact AI organization intentionally violates this Act or any regulation or order issued under this Act, the Secretary may prohibit the critical-impact AI organization from deploying a critical-impact artificial intelligence system.

(2) IN ADDITION .—A prohibition imposed under paragraph (1) shall be in addition to any other civil penalties provided under this Act.

(d) FACTORS.—The Secretary may by regulation provide standards for establishing levels of civil penalty under this section based upon factors such as the seriousness of the violation, the culpability of the violator, and such mitigating factors as the violator's record of cooperation with the Secretary in disclosing the violation.

(e) CIVIL ACTION.—

(1) IN GENERAL.—Upon referral by the Secretary, the Attorney General may bring a civil action in a United States district court to—

(A) enjoin a violation of section 207; or

(B) collect a civil penalty upon a finding of noncompliance with this Act.

(2) VENUE.—A civil action may be brought under paragraph (1) in the judicial district in which the violation occurred or the defendant is found, resides, or does business.

(3) PROCESS.—Process in a civil action under paragraph (1) may be served in any judicial district in which the defendant resides or is found.

(f) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to require a developer of a critical-impact artificial intelligence system to disclose any information, including data or algorithms—

(1) relating to a trade secret or other protected intellectual property right;

(2) that is confidential business information; or

(3) that is privileged.

SEC. 209. ARTIFICIAL INTELLIGENCE CONSUMER EDUCATION.

(a) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish a working group relating to responsible education efforts for artificial intelligence systems.

(b) MEMBERSHIP.—

(1) IN GENERAL.—The Secretary shall appoint to serve as members of the working group established under this section not more than 15 individuals with expertise relating to artificial intelligence systems, including—

(A) representatives of—

(i) institutions of higher education;

(ii) companies developing or operating artificial intelligence systems;

(iii) consumers or consumer advocacy groups;

(iv) public health organizations;

(v) marketing professionals;

(vi) entities with national experience relating to consumer education, including technology education;

(vii) public safety organizations;

(viii) rural workforce development advocates;
(ix) enabling technology companies; and
(x) nonprofit technology industry trade associations; and
(B) any other members the Secretary considers to be appropriate.
(2) COMPENSATION.—A member of the working group established under this section shall serve without compensation.
(c) DUTIES.—
(1) IN GENERAL.—The working group established under this section shall—
(A) identify recommended education and programs that may be voluntarily employed by industry to inform—
(i) consumers and other stakeholders with respect to artificial intelligence systems as those systems—
(I) become available; or
(II) are soon to be made widely available for public use or consumption; and
(B) submit to Congress, and make available to the public, a report containing the findings and recommendations under subparagraph (A).
(2) FACTORS FOR CONSIDERATION.—The working group established under this section shall take into consideration topics relating to—
(A) the intent, capabilities, and limitations of artificial intelligence systems;
(B) use cases of artificial intelligence applications that improve lives of the people of the United States, such as improving government efficiency, filling critical roles, and reducing mundane work tasks;
(C) artificial intelligence research breakthroughs;
(D) engagement and interaction methods, including how to adequately inform consumers of interaction with an artificial intelligence system;
(E) human-machine interfaces;
(F) emergency fallback scenarios;
(G) operational boundary responsibilities;
(H) potential mechanisms that could change function behavior in service; and
(I) consistent nomenclature and taxonomy for safety features and systems.
(3) CONSULTATION.—The Secretary shall consult with the Chair of the Federal Trade Commission with respect to the recommendations of the working group established under this section, as appropriate.
(d) TERMINATION.—The working group established under this section shall terminate on the date that is 2 years after the date of enactment of this Act.

By Ms. COLLINS (for herself and Mr. CARDIN):

S. 3326. A bill to improve access to opioid use disorder treatment services under the Medicare program; to the Committee on Finance.

Ms. COLLINS. Madam President, I rise to introduce the Supporting Seniors with Opioid Use Disorder Act with my colleague from Maryland, Senator CARDIN. I very much appreciate his leadership on this issue. The United States is experiencing an opioid overdose and addiction crisis with devastating effects on communities across the country. The opioid epidemic is claiming the lives of far too many people, with a record 716 Mainers and nearly 110,000 Americans lost in 2022. While many perceive the face of opioid addiction as young, the epidemic harms older adults as well. In Maine, approximately 12 percent of drug overdose deaths last year were among residents age 60 and older.

Each and every opioid death is preventable, and more can be done to ensure that the unique needs of older Americans struggling with addiction are not forgotten. In December 2021, the Department of Health and Human Services Office of the Inspector General, OIG, identified an urgent need to increase the number of Medicare beneficiaries receiving treatment for opioid use disorder. The legislation we are introducing today would help improve seniors' awareness of, and access to, opioid use disorder, OUD, treatment covered by the Medicare Program.

The challenges of the pandemic, combined with the increased prevalence of fentanyl entering our country, have aggravated this national crisis. Even before COVID–19, however, the number of people age 55 or older treated in emergency rooms for nonfatal opioid overdoses was increasing, with a shocking 32 percent jump in ER visits from 2016 to 2017. In 2018, when I served as chairman of the Senate Special Committee on Aging, I chaired a hearing on this topic to shed light on the unique challenges faced by this often-overlooked population. One expert witness told the Aging Committee, ''Medicare beneficiaries are the fastest growing population of diagnosed opioid use disorders.'' Dr. Charles Pattavina, an emergency medicine physician in Bangor, ME, also explained how increased incidences of acute illnesses and injuries among older Americans make them more susceptible to opioid misuse.

In 2021, the Office of the Inspector General investigated the extent to which Medicare beneficiaries diagnosed with opioid use disorder received medication and behavioral therapy through Medicare. The report found that more than 1 million Medicare beneficiaries were diagnosed with OUD in 2020, yet fewer than 16 percent of those patients received medication to treat their OUD. The report also concluded that older beneficiaries were three times less likely to receive medication to treat their OUD than younger beneficiaries. Even fewer beneficiaries received both medication and behavioral therapy. The conclusion was clear: Medicare beneficiaries are not receiving the OUD treatment they need.

A followup OIG report from September 2022 revealed that the situation has largely failed to improve over time. About 50,400 Part D beneficiaries experienced an opioid overdose—from prescription opioids, illicit opioids, or both—during 2021. While the overall proportion of beneficiaries with opioid use disorder receiving medication increased slightly from 16 percent in 2020 to 18 percent in 2021, still fewer than one in five Medicare beneficiaries received the medication they need. This report echoed the call to implement the 2021 OIG recommendations.

The Supporting Seniors with Opioid Use Disorder Act would put into law the recommendations made by the HHS OIG regarding how to improve beneficiaries' awareness of Medicare coverage for OUD treatment and how to identify gaps and opportunities to better meet the needs of this unique population. Specifically, our legislation would require CMS to conduct additional outreach to beneficiaries to increase awareness about Medicare coverage for the treatment of OUD, such as by revising enrollment materials, making State and national contact information for healthcare providers publicly available and easily accessible, and developing or improving continuing education programs about opioid medications and substance use disorder treatment programs. Our bill would also improve data sharing within Agencies at HHS with the goal of obtaining a better understanding of current treatment gaps.

Finally, the bill would require HHS to convene a stakeholder meeting to share best practices on the use of behavioral therapy among beneficiaries receiving medication to treat opioid use disorder. Emerging research points to evidence that patients receiving medication to treat opioid use disorder may also benefit from behavioral therapy, so this opportunity for collaboration on strategies to support better treatment engagement and continuity could be beneficial to both patients and healthcare professionals.

The drug crisis continues to ravage our country, and it is critical that people who are suffering from opioid use disorder have access to the treatment they need to survive and thrive—including our seniors. Challenges in treatment and recovery will persist, but we can begin by better supporting older Americans' access to opioid use disorder services and by strengthening our understanding of potential disparities in treatment. I urge my colleagues to support this important legislation.

By Mr. DURBIN (for himself, Mr. GRAHAM, Mr. WHITEHOUSE, Mr. CORNYN, Ms. KLOBUCHAR, Mr. KENNEDY, Mr. BLUMENTHAL, Mr. TILLIS, and Ms. HIRONO):

S. 3328. A bill to exempt for an additional 4-year period, from the application of the means-test presumption of abuse under chapter 7, qualifying members of reserve components of the Armed Forces and members of the National Guard who, after September 11, 2001, are called to active duty or to perform a homeland defense activity for not less than 90 days; to the Committee on the Judiciary.

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

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

S. 3328

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 ''National Guard and Reservists Debt Relief Extension Act of 2023''.

SEC. 2. NATIONAL GUARD AND RESERVISTS DEBT RELIEF AMENDMENT.

Section 4(b) of the National Guard and Reservists Debt Relief Act of 2008 (Public Law 110–438; 122 Stat. 5000) is amended by striking ''15-year'' and inserting ''19-year''.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 464—SUPPORTING THE GOALS AND PRINCIPLES OF TRANSGENDER DAY OF REMEMBRANCE BY RECOGNIZING THE EPIDEMIC OF VIOLENCE TOWARD TRANSGENDER PEOPLE AND MEMORIALIZING THE LIVES LOST THIS YEAR

Ms. HIRONO (for herself, Ms. BALDWIN, Ms. BUTLER, Mr. FETTERMAN, Mr. MARKEY, Ms. WARREN, Mr. WYDEN, Mr. MERKLEY, and Mr. SCHATZ) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 464

Whereas Transgender Day of Remembrance was created following the 1998 killing of Rita Hester, a transgender woman of color, whose murder has yet to be solved;

Whereas the following year, on November 20, 1999, Gwendolyn Ann Smith created the first Transgender Day of Remembrance in honor of Rita Hester and other transgender people whose lives were lost due to violence;

Whereas Transgender Day of Remembrance 2023 honors the memory of the lives of transgender people tragically lost in acts of violence between October 1, 2022, and September 30, 2023;

Whereas the United States is currently experiencing an epidemic of violence against transgender people of the United States;

Whereas at least 33 transgender or gender nonconforming people were violently killed in the United States in 2023, a number many believe to be much higher due to the prevalence of underreporting or misreporting violence against this community;

Whereas the lives of Tiffany Banks, Kelly Loving, Daniel Aston, Diamond Jackson-McDonald, Destiny Howard, Mar'Quis ''MJ'' Jackson, Caelee Love-Light, Jasmine ''Star'' Mack; KC Johnson, Unique Banks, Zachee Imanitwitaho, Maria Jose Rivera Rivera, Chashay Ashanti Henderson, Paris Aminah, Tortuguita, Ta'Ssiyah Woodland, Ashley Burton, Koko Da Doll, Banko Brown, Ashia Davis, Chanell Perez Ortiz, Jacob Williamson, Camdyn Rider, DéVonnie J'Rae Johnson, Thomas ''Tom-Tom'' Robertson, YOKO, Luis Ángel Díaz Castro, Sherlyn Marjorie, Emma Borhanian, Clayton Stephens, Ome Gandhi, Lovely Page, Bre'Asia Banks, and Alexa Sokova were tragically lost in acts of violence between October 1, 2022, and September 30, 2023;

Whereas, following the introduction of the Transgender Day of Remembrance Resolution of 2022, the lives of Morgan Moore, Kylie Monali, and London Starr were reported to have been lost to acts of violence between October 1, 2021, and September 30, 2022;

Whereas at least 285 transgender or gender nonconforming people have been murdered worldwide in 2023, according to the Transgender Day of Remembrance memorial page from Trans Lives Matter;

Whereas violence against transgender people of the United States disproportionately impacts transgender women of color;

Whereas Black transgender women are the most targeted group to experience violence in the United States;

Whereas the COVID–19 global health pandemic has had a disproportionate impact on transgender people of the United States;

Whereas transgender people of the United States face barriers to health care, such as lack of health insurance, stigma and discrimination, and higher rates of unemployment;

Whereas transgender people disproportionately suffer from higher rates of homelessness, with reports suggesting as many as ⅓ of all transgender women and ½ of transgender women who are Black, Middle Eastern, multiracial, or undocumented have experienced homelessness;

Whereas almost half of all transgender people in the United States will attempt suicide at least once, and over 1 in 20 will attempt suicide each year, a rate that is almost 10 times higher than the rest of the United States population;

Whereas asylum seekers and refugees who are transgender experience disproportionate rates of violence, including sexual violence, as they seek safety;

Whereas transgender immigrants have died in detention centers in the United States due to medical neglect, injury, and abuse at the hands of staff;

Whereas transgender people who are housed in institutional settings such as jails and prisons are subject to high levels of violence and discrimination;

Whereas transgender students are significantly more likely to experience bullying and harassment at school due to their gender identity;

Whereas understanding and addressing the challenges faced by transgender people of the United States is hampered by a severe lack of data;

Whereas Congress and the executive branch must act to protect and preserve the lives of all people of the United States, including those that are transgender, through inclusive legislation and policies that treat everyone with dignity and respect;

Whereas the continued introduction of anti-transgender legislation has fueled violence against transgender people of the United States;

Whereas the pressure some State legislatures have pushed on State and local authorities to treat gender-affirming health care as child abuse has led to a spike in bullying and assault in schools, worsening mental health among transgender youth and adults, and parents who are afraid their children will be deprived of medical care or be removed from their homes;

Whereas the transgender community has shown great resilience in the face of adversity in all aspects of their lives, including housing, education, employment, and health care; and

Whereas the transgender community has demonstrated tremendous leadership since the courageous actions of many community members, including Marsha P. Johnson and Sylvia Rivera, at the Stonewall uprising of 1969: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and principles of Transgender Day of Remembrance by recognizing the epidemic of violence toward transgender people and memorializing the lives lost this year;

(2) recognizes that the alarming trends of increased violence against transgender people of the United States, particularly transgender women of color, are unacceptable, and that finding solutions to these issues must be a pressing priority for the United States Government;

(3) supports efforts to study, respond to, and prevent violence against transgender people;

(4) affirms the principle that every person is endowed with basic human rights and that the commitment of the United States to this principle must encompass every single individual;

(5) recognizes the bravery and resilience of the transgender community as it fights for equal dignity and respect; and

(6) recognizes the multitude of contributions and cultural impact the transgender community has had on the society of the United States.

SENATE RESOLUTION 465—EXPRESSING SUPPORT FOR THE DESIGNATION OF NOVEMBER 20, 2023, THROUGH DECEMBER 20, 2023, AS ''NATIONAL SURVIVORS OF HOMICIDE VICTIMS AWARENESS MONTH''

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

S. RES. 465

Whereas the United States faces a national public health crisis of gun violence;

Whereas, on average, more than 13,000 homicides each year continue to rob families and communities of loved ones;

Whereas homicides increased by 30 percent in 2020, compounding the many deaths caused by COVID–19;

Whereas for every 1 homicide victim, there are at least 10 surviving family members, and the number of survivors of homicide victims grows exponentially each year as they navigate life after the tragic loss of their loved one;

Whereas homicide victims are loved and grieved by family members, friends, neighbors, classmates, colleagues, and communities across the country;

Whereas, in the United States, almost 1 in 4 Black American, Hispanic, or Latinx adults report having lost a loved one to gun-related homicide;

Whereas losing a loved one to homicide is one of the most traumatic events a person can experience;

Whereas, in the United States, homicide is the leading cause of death among Black Americans between the ages of 12–19 and the second leading cause of death for teenagers nationwide;

Whereas more than ½ of women who are victims of homicides are killed because of intimate partner violence;

Whereas 40 percent of homicides in the United States go unsolved;

Whereas homicide results in chronic physical and behavioral health consequences that carry significant behavioral and economic burdens on families and communities impacted by murder, trauma, grief, and loss;

Whereas all families of homicide victims deserve to be treated with dignity and compassion;

Whereas surviving family members need holistic, coordinated, compassionate, and consistent support and services in the immediate aftermath of a homicide and ongoing opportunities for healing in the months and years afterward;

Whereas surviving family members want to remember and honor their loved ones' lives regardless of the circumstances surrounding their death;

Whereas survivors of homicide victims are transforming their pain into purpose by informing, influencing, and impacting public policy, and working to create and sustain an environment where all families can live in peace and all people are valued;

Whereas survivors, advocates, and providers are working together to implement

equitable and effective community-based responses to homicide;

Whereas the leadership of surviving family and community members is essential to disrupting cycles of violence and promoting peace in all communities; and

Whereas recognition of the needs of survivors can help combat trauma, foster healing, and inform joy for families and communities impacted by homicide: Now, therefore, be it

Resolved, That the Senate—

(1) expresses support for the designation of November 20, 2023, through December 20, 2023, as ''National Survivors of Homicide Victims Awareness Month'';

(2) supports efforts to—

(A) raise awareness of survivors of homicide victims;

(B) support survivors of homicide victims, including families, schools, and communities, with support services and information; and

(C) encourage research—

(i) to better address the needs of families and communities severely impacted by violence; and

(ii) to consider ways to improve access to, and the quality of, behavioral health services for survivors of homicide victims; and

(3) calls on the people of the United States, interest groups, and affected persons—

(A) to promote awareness of survivors of homicide victims;

(B) to take an active role in the fight to end gun violence and homicide;

(C) to respond to all families suffering in the aftermath of homicide with consistency, compassion, and competence and by centering the principles of love, unity, faith, hope, courage, justice, and forgiveness; and

(D) to observe National Survivors of Homicide Victims Awareness Month with appropriate activities.

SENATE RESOLUTION 466—CALLING UPON THE UNITED STATES SENATE TO GIVE ITS ADVICE AND CONSENT TO THE RATIFICATION OF THE UNITED NATIONS CONVENTION ON THE LAW OF THE SEA

Ms. HIRONO (for herself, Ms. MURKOWSKI, Mr. KAINE, Mr. VAN HOLLEN, Ms. ROSEN, Mr. CASSIDY, Mr. KING, and Mr. WHITEHOUSE) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 466

Whereas the United Nations Convention on the Law of the Sea (UNCLOS) was adopted by the Third United Nations Conference on the Law of the Sea in December 1982 and entered into force in November 1994 to establish a treaty regime to govern activities on, over, and under the world's oceans;

Whereas the UNCLOS builds on four 1958 Law of the Sea conventions to which the United States is a party, namely the Convention on the Territorial Sea and the Contiguous Zone, the Convention on the High Seas, the Convention on the Continental Shelf, and the Convention on Fishing and Conservation of the Living Resources of the High Seas;

Whereas the UNCLOS and an associated 1994 agreement relating to implementation of the treaty were transmitted to the Senate on October 6, 1994, and, in the absence of Senate advice and consent to ratification, the United States is not a party to the treaty or the associated 1994 agreement;

Whereas the treaty has been ratified by 169 parties, which includes 168 countries and the European Union, but not the United States;

Whereas the United States, like most other countries, maintains that coastal States under the UNCLOS have the right to regulate economic activities in their Exclusive Economic Zones (EEZs), but do not have the right to regulate foreign military activities in their EEZs;

Whereas the treaty's provisions relating to navigational rights, including navigational rights in EEZs, reflect the diplomatic position of the United States on the issue dating back to the adoption of the UNCLOS in 1982;

Whereas becoming a party to the treaty would codify the current position of the United States, which recognizes the provisions within the UNCLOS as customary international law;

Whereas becoming a party to the treaty would give the United States standing to participate in discussions relating to the treaty and thereby improve the ability of the United States to intervene as a full party to disputes relating to navigational rights and to defend United States interpretations of the treaty's provisions, including those relating to whether coastal States have a right under the UNCLOS to regulate foreign military activities in their EEZs;

Whereas becoming a party to the treaty would allow the United States to be a member of the International Seabed Authority and thereby participate directly in setting and voting on the policies organizing and controlling mineral-related activities in the international seabed area as global demand for critical minerals increases;

Whereas more than 97 percent of the global internet traffic relies on infrastructure located on the international seabed compared to space-based infrastructure;

Whereas lack of full-party membership to UNCLOS limits the access and influence of the United States to critical territorial dispute management, including matters involving pursuit and competition of extended outer continental shelf submissions, facilitated primarily by Article 76, which represents the main tool assisting sovereign authority delimitation agreements;

Whereas relying on customary international norms to defend United States interests in those issues is not sufficient, because customary international law is not universally accepted and is subject to change over time based on state practice;

Whereas relying on other countries to assert claims on behalf of the United States at the Permanent Court of Arbitration at The Hague is woefully insufficient to defend and uphold United States sovereign rights and interests;

Whereas the Permanent Court of Arbitration, in the July 12, 2016, ruling on the case In the Matter of the South China Sea Arbitration, stated that ''the Tribunal communicated to the Parties and the U.S. Embassy that it had decided that 'only interested States parties to the United Nations Convention on the Law of the Sea will be admitted as observers' and thus could not accede to the U.S. request'' to ''send a representative to observe the hearing'';

Whereas, on November 25, 2018, the Russian Federation violated international norms and binding agreements, including the UNCLOS, in firing upon, ramming, and seizing Ukrainian vessels and crews attempting to pass through the Kerch Strait;

Whereas, on May 25, 2019, the International Tribunal for the Law of the Sea ruled in a vote of 19–1 that ''[t]he Russian Federation shall immediately release the Ukrainian naval vessels Berdyansk, Nikopol and Yani Kapu, and return them to the custody of Ukraine'' and that ''[t]he Russian Federation shall immediately release the 24 detained Ukrainian servicemen and allow them to return to Ukraine'', demonstrating the Tribunal's rejection of the Russian Federation's arguments in that matter in relation to the Law of the Sea;

Whereas, despite the Tribunal's ruling aligning with the position of the United States Government on the November 25, 2018, incident, the continued nonparticipation of the United States in the UNCLOS limits the ability of the United States to effectively respond to the Russian Federation's actions and to any potential future violations by the Russian Federation and any other signatory of UNCLOS;

Whereas the Secretary of Defense, the Honorable Lloyd Austin, stated that ''the United States has long treated the UNCLOS's provisions related to navigation and overflight as reflective of longstanding and customary international law. Our military already acts in a manner consistent with these rights and freedoms, so accession to the Convention will not impact the manner in which we conduct our operations'', in response to a question for the record from Senator Hirono on January 21, 2021;

Whereas the Chief of Naval Operations, Admiral Lisa Franchetti, stated that ''the United States played a major role in drafting the Convention, and it is favorable to U.S. interests on all significant issues as a result. Further, our Navy already acts in a manner consistent with the Convention's navigational and overflight provisions. Accession would not impose any additional constraints on the Navy's ability to fly, sail, and operate wherever international law allows'', in response to advance policy questions on September 14, 2023, before the Committee on Armed Services of the Senate;

Whereas Admiral Franchetti further stated that ''the United Nations Convention on the Law of the Sea would give our objections to excessive maritime claims a stronger legal foundation that does not rely exclusively on customary international law. When protesting excessive maritime claims asserted by the People's Republic of China in the South China Sea, the Russian Federation in the Arctic region, and others, the United States would come from a position of increased authority and influence'', in response to advance policy questions on September 14, 2023, before the Committee on Armed Services of the Senate;

Whereas the Commander of the United States Indo-Pacific Command, Admiral John C. Aquilino, stated that ''there's really two main reasons [to ratify the UNCLOS]: as the group gets together, it would be certainly beneficial if we had a seat at the table when there were discussions occurring as it applied to potential adjustments and the interpretations of those international laws and the second reason is it puts us in an increased position of credibility . . . we adhere to the UNCLOS treaty in our operations, and it would make our position much stronger if we were signatories'', on March 23, 2021, at his nomination hearing before the Committee on Armed Services of the Senate;

Whereas the Commander, North American Aerospace Defense Command and United States Northern Command, General Gregory M. Guillot, stated, ''I support U.S. accession to the Law of the Sea Convention (UNCLOS). UNCLOS provides a comprehensive regime for the governance of the world's oceans, including the Arctic, and U.S. accession would further demonstrate our commitment to an international rules-based order. Acceding to the treaty would enable U.S. representation during critical international negotiations that impact the maritime domain, provide an additional mechanism to counter countries like Russia and China that continue to

exploit our absence from key ocean governance diplomatic forums, and ultimately help protect our nation's rights and interests in this critical sphere of operations'', in response to advance policy questions on July 23, 2023, before the Committee on Armed Services of the Senate;

Whereas the Commander, North American Aerospace Defense Command and United States Northern Command, General Gregory M. Guillot, further stated in regard to United States ratification of the UNCLOS that ''I believe accession to the Law of the Sea Convention would help the U.S. protect its interests in the Arctic. Accession would demonstrate our commitment to a rules-based order, ensure our best interests are represented during international negotiations regarding territorial disputes and challenges to longstanding maritime customs and practices, and improve our ability to advocate for our ocean governance interests around the globe, including in the Arctic. Engagement through UNCLOS is particularly critical today as multiple nations vie for access and control in the Arctic and seek to modify international norms to accommodate expansionist ambitions around the globe in general, and in the Arctic in particular. Finally, accession would preclude Russia and China from exploiting U.S. absence in forums'', in response to advance policy questions on July 23, 2023, before the Committee on Armed Services of the Senate;

Whereas the Secretary of the Navy, Honorable Carlos Del Toro, stated ''accession would 'lock in' the customary rights and freedoms reflected in the UNCLOS, and would give the U.S. a seat at the table to set the course for future law of the sea discussions on a coequal level with member states like China and Russia. China continues a more aggressive posture in the South China Sea. As widely reported, Chinese warships, law enforcement vessels, and other PRC-flagged vessels have failed to respect the rights of maritime nations under the Convention. As a party to the Convention, U.S. objections to these violations would have more force and credibility, and would enhance its ability to respond to excessive maritime claims, land reclamation, and militarization efforts by China in the South China Sea'', in response to a question for the record from Senator Hirono on July 13, 2021;

Whereas the past Commander of United States Indo-Pacific Command, retired Admiral Philip S. Davidson, stated that ''our accession to the UNCLOS would help our position legally across the globe and would do nothing to limit our military operations in the manner in which we're conducting them now'', on April 17, 2018, before the Committee on Armed Services of the Senate;

Whereas the past Commander of United States Pacific Command, retired Admiral Harry B. Harris, stated ''I believe that UNCLOS gives Russia the potential to, quote, unquote 'own' almost half of the Arctic Circle, and we will not have that opportunity because of, we're not a signatory to UNCLOS'', on March 15, 2018, before the Committee on Armed Services of the Senate;

Whereas the past Commander of United States Pacific Command, retired Admiral Harry B. Harris, stated ''I think that by not signing onto it that we lose the credibility for the very same thing that we're arguing for'', and ''which is the following—accepting rules and norms in the international arena. The United States is a beacon—we're a beacon on a hill but I think that light is brighter if we sign on to UNCLOS'', on February 23, 2016, at a hearing before the Committee on Armed Services of the Senate;

Whereas the past Chairman of the Joint Chiefs of Staff, retired General Joseph F. Dunford, stated that ''by remaining outside the Convention, the United States remains in scarce company with Iran, Venezuela, North Korea, and Syria'' and ''by failing to join the Convention, some countries may come to doubt our commitment to act in accordance with international law'', on July 9, 2015, before the Committee on Armed Services of the Senate;

Whereas the past President and Chief Executive Officer of the United States Chamber of Commerce, Mr. Thomas J. Donahue, stated that ''we support joining the Convention because it is in our national interest—both in our national security and our economic interests'', ''becoming a party to the Treaty benefits the U.S. economically by providing American companies the legal certainty and stability they need to hire and invest'', and ''companies will be hesitant to take on the investment risk and cost to explore and develop the resources of the sea—particularly on the extended continental shelf (ECS)—without the legal certainty and stability accession to LOS provides'', on June 28, 2012, before the Committee on Foreign Relations of the Senate;

Whereas the past President and Chief Executive Officer of the United States Chamber of Commerce, Mr. Thomas J. Donahue, further stated that ''the benefits of joining cut across many important industries including telecommunications, mining, shipping, and oil and natural gas'', and ''joining the Convention will provide the U.S. a critical voice on maritime issues—from mineral claims in the Arctic to how International Seabed Authority (ISA) funds are distributed'', on June 28, 2012, before the Committee on Foreign Relations of the Senate;

Whereas the past Commandant of the United States Coast Guard, retired Admiral Paul Zukunft, stated on February 12, 2016, ''With the receding of the icepack, the Arctic Ocean has become the focus of international interest.'', ''All Arctic states agree that the Law of the Sea Convention is the governing legal regime for the Arctic Ocean . . . yet, we remain the only Arctic nation that has not ratified the very instrument that provides this accepted legal framework governing the Arctic Ocean and its seabed.'', and ''Ratification of the Law of the Sea Convention supports our economic interests, environmental protection, and safety of life at sea, especially in the Arctic Ocean.'';

Whereas the past Chief of Naval Operations, retired Admiral Michael Gilday, stated that ''acceding to the Convention would strengthen our strategic position on issues pertaining to the [South China Sea and the Arctic]. The United States would have increased credibility when responding to excessive maritime claims and militarization efforts in the South China Sea. With respect to the Arctic, becoming a party to the Convention would allow the U.S. to position itself to safeguard access for the purposes of maritime traffic, resource exploitation, and other human activities, while ensuring other states comply with the law of the sea'', in response to advance policy questions on July 30, 2019, before the Committee on Armed Services of the Senate; and

Whereas the past United States Special Representative of State for the Arctic and former Commandant of the Coast Guard, retired Admiral Robert Papp, Jr., stated that ''as a non-party to the Law of the Sea Convention, the U.S. is at a significant disadvantage relative to the other Arctic Ocean coastal States'', ''those States are parties to the Convention, and are well along the path to obtaining legal certainty and international recognition of their Arctic extended continental shelf'', and ''becoming a Party to the Law of the Sea Convention would allow the United States to fully secure its rights to the continental shelf off the coast of Alaska, which is likely to extend out to more than 600 nautical miles'', on December 10, 2014, before the Subcommittee on Europe, Eurasia, and Emerging Threats of the Committee on Foreign Affairs of the House of Representatives: Now, therefore, be it

Resolved, That the Senate—

(1) affirms that it is in the national interest for the United States to become a formal signatory of the United Nations Convention on the Law of the Sea (UNCLOS), done at Montego Bay December 10, 1982;

(2) urges the United States Senate to give its advice and consent to the ratification of the UNCLOS; and

(3) recommends the ratification of the UNCLOS remain a top priority for the Federal Government, the importance of which was most recently underscored by the strategic challenges the United States faces in the Indo-Pacific, the Arctic, and the Black Sea regions.

SENATE RESOLUTION 467—RECOGNIZING THE FIRST COMMEMORATION OF THE ANTI-LGBTQ+ ATTACK THAT OCCURRED ON NOVEMBER 19–20, 2022, AT CLUB Q, AN LGBTQ+ BAR IN COLORADO SPRINGS, COLORADO

Mr. BENNET (for himself and Mr. HICKENLOOPER) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 467

Whereas, on November 19–20, 2022, a mass shooting took place at Club Q, an LGBTQ+ bar in Colorado Springs, Colorado;

Whereas 5 innocent victims were killed, 17 community members were injured by gunshot wounds, and 32 other community members sustained injuries, including mental and emotional trauma from witnessing this violent event;

Whereas the 5 innocent victims killed in the shooting were—

(1) Raymond Green Vance;

(2) Ashley Paugh;

(3) Daniel Aston;

(4) Kelly Loving; and

(5) Derrick Rump;

Whereas the State of Colorado came together for medical and funeral expenses for those affected by the shooting;

Whereas, at the time of the mass shooting, Club Q was 1 of only 3 dedicated LGBTQ+ safe spaces in Colorado Springs, Colorado;

Whereas the shooting brought further trauma and a feeling of loss of safety and security to members of the LGBTQ+ community;

Whereas the perpetrator of the attack had a history of homicidal behavior and hatefully targeted the individuals at Club Q because of their affiliation with the LGBTQ+ community;

Whereas, according to the Centers for Disease Control and Prevention, in 2022, there were more than 48,000 firearm-related deaths in the United States according to provisional mortality data;

Whereas LGBTQ+ people are more than twice as likely to be a victim of gun violence than their heterosexual peers;

Whereas transgender people are over 4 times more likely than cisgender people to experience violent victimization, including rape, sexual assault, and aggravated or simple assault;

Whereas at least 356 anti-LGBTQ+ incidents motivated by hate were reported from June 2022 to April 2023 in the United States;

Whereas a wave of hateful rhetoric and legislative efforts to restrict LGBTQ+ rights

and health care continues to sweep across the United States;

Whereas violence against LBGTQ+ people of the United States remains an evil and destructive form of identity-based hate that destroys lives and runs contrary to the values of the United States;

Whereas the people of the United States commend the club patrons Richard M. Fierro, Drea Norman, and Petty Officer Thomas James, whose bravery in disarming the perpetrator undoubtedly saved countless lives;

Whereas the people of the United States commend the service of the Colorado Springs Police Department that responded to and investigated the shooting and the prosecution team from the District Attorney's Office of Colorado's Fourth Judicial District that worked to bring the perpetrator to justice;

Whereas Club Q plans to reopen at a new location, and local community organizations, the city of Colorado Springs, survivors, and victims' families are working together to establish a plan for a public memorial; and

Whereas the LGBTQ+ community of Colorado Springs, local social service organizations, and clinical partners are collaborating to open a new resource center to provide long term support for those impacted by the attack on Club Q, and the greater LGBTQ+ community: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the 1 year remembrance of the anti-LGBTQ+ attack that occurred on November 19–20, 2022, at Club Q, an LGBTQ+ bar in Colorado Springs, Colorado; and

(2) expresses continued solidarity and support to the survivors of the Club Q shooting, the Colorado Springs LGBTQ+ community, and the families, friends, and loved ones affected by the tragedy.

SENATE RESOLUTION 468—DESIGNATING NOVEMBER 26, 2023, AS ''DRIVE SAFER SUNDAY''

Mr. WARNOCK (for himself and Mrs. CAPITO) submitted the following resolution; which was considered and agreed to:

S. RES. 468

Whereas motor vehicle travel is the primary means of transportation in the United States;

Whereas every individual traveling on roads and highways needs to drive in a safer manner in order to reduce deaths and injuries that result from motor vehicle crashes;

Whereas, according to the National Highway Traffic Safety Administration, wearing a seat belt saves more than 15,000 lives each year;

Whereas the Senate wants all people of the United States to understand the life-saving importance of wearing a seat belt and encourages motorists to drive safely, not just during the holiday season, but every time they get behind the wheel; and

Whereas the Sunday after Thanksgiving is one of the busiest highway traffic days of the year: Now, therefore, be it

Resolved, That the Senate—

(1) encourages—

(A) high schools, colleges, universities, administrators, teachers, primary schools, and secondary schools to launch campus-wide educational campaigns to urge students to focus on safety when driving;

(B) national trucking firms—

(i) to alert employee drivers to be especially focused on driving safely on the Sunday after Thanksgiving; and

(ii) to publicize the importance of the day through use of Citizens Band radios and truck stops across the United States;

(C) clergies to remind their members to travel safely when attending services and gatherings;

(D) law enforcement personnel to remind drivers and passengers to drive safely, particularly on the Sunday after Thanksgiving; and

(E) the people of the United States to use the Sunday after Thanksgiving as an opportunity to educate themselves about highway safety; and

(2) designates November 26, 2023, as ''Drive Safer Sunday''.

SENATE RESOLUTION 469—COMMENDING AND CONGRATULATING THE LAS VEGAS ACES BASKETBALL TEAM ON WINNING THE 2023 WOMEN'S NATIONAL BASKETBALL ASSOCIATION CHAMPIONSHIP

Ms. CORTEZ MASTO (for herself and Ms. ROSEN) submitted the following resolution; which was considered and agreed to:

S. RES. 469

Whereas, on October 18, 2023, the professional women's basketball team the Las Vegas Aces (referred to in this resolution as the ''Aces'') won the 2023 Women's National Basketball Association (referred to in this resolution as the ''WNBA'') championship;

Whereas the Aces became the first back-to-back WNBA champions in 21 years;

Whereas the Aces defeated the New York Liberty in Game 4 of the 2023 WNBA Finals, winning the championship 3 games to 1;

Whereas the championship is the second for the Aces franchise and also marks the third major league professional sports championship in the history of the city of Las Vegas and the State of Nevada;

Whereas Aces head coach Becky Hammon led the team to the championship, becoming the first WNBA head coach to win back-to-back championships in 21 years and first head coach to win the title in her first 2 seasons;

Whereas Aces player A'ja Wilson was named—

(1) WNBA Finals Most Valuable Player, finishing Game 4 of the Finals with a game high 24 points in the 70-69 win to help clinch the championship for the Aces; and

(2) WNBA Defensive Player of the Year, her second consecutive Defensive Player of the Year honor;

Whereas Aces player Alysha Clark won the WNBA Sixth Player of the Year Award for being the league's most valuable player for her team coming off the bench as a substitute;

Whereas Aces players Kierstan Bell, Alaina Coates, Sydney Colson, Cayla George, Chelsea Gray, Candace Parker, Kelsey Plum, Kiah Stokes, Riquna Williams, and Jackie Young should be congratulated for their dedication, teamwork, and display of impressive athletic talent;

Whereas behind the Aces players is a team of coaches and support staff without whom those players could not have been successful;

Whereas Aces owner Mark Davis continues to lead professional team owners as a champion for women in sports, investing significantly in the Aces team, facilities, and staff, and advancing the game of basketball;

Whereas the Aces organization remains committed to enriching and impacting the Las Vegas community, actively participating in community efforts through partnerships with schools and community-based organizations; and

Whereas the Aces represent their loyal fans, the Las Vegas community, and the entire State of Nevada with a commitment to excellence: Now, therefore, be it

Resolved, That the Senate—

(1) commends and congratulates the Aces on winning the 2023 WNBA championship and completing a successful 2023 season;

(2) recognizes the achievements of all players, coaches, and staff who contributed to the success of the Aces during the 2023 season; and

(3) respectfully requests that the Secretary of the Senate transmit an enrolled copy of this resolution to—

(A) Aces owner Mark Davis;

(B) Aces President Nikki Fargas and General Manager Natalie Williams; and

(C) Aces Head Coach Becky Hammon.

SENATE RESOLUTION 470—DESIGNATING NOVEMBER 16TH, 2023, AS ''NATIONAL RURAL HEALTH DAY''

Mr. BARRASSO (for himself, Ms. SMITH, Mrs. BLACKBURN, Mr. BENNET, Ms. LUMMIS, Mr. MARSHALL, Ms. SINEMA, Mr. DAINES, Ms. ERNST, Mr. HAWLEY, Mrs. CAPITO, Mr. CRAPO, Mr. RISCH, Mr. THUNE, Mr. SCOTT of South Carolina, Mr. LANKFORD, Mr. RICKETTS, Mr. WICKER, Mr. HICKENLOOPER, Mr. CRAMER, Mr. MANCHIN, Mr. MORAN, Mr. TESTER, Mr. VAN HOLLEN, Mr. MERKLEY, Mr. BROWN, and Mr. HEINRICH) submitted the following resolution; which was considered and agreed to:

S. RES. 470

Whereas over 60,000,000 hardworking individuals in the United States live in rural communities;

Whereas, according to the Bureau of the Census, 97 percent of the total landmass of the United States is designated as ''rural'';

Whereas individuals in the United States in rural areas live in pursuit of the common good and keep values of the United States alive by fostering a spirit of generosity and respect among neighbors;

Whereas rural health care providers and patients showcase a selfless and community-minded spirit;

Whereas rural areas in the United States are places of opportunity for—

(1) mission-minded health professionals to provide individualized care to rural communities; and

(2) fueling innovations in rural health infrastructure, quality, and delivery of health care;

Whereas health care providers in rural areas are uniquely positioned to provide value-based holistic care;

Whereas rural health care providers are known and trusted by their patients;

Whereas residents in rural areas tend to experience lower life expectancy and poorer health status due to structural, behavioral, and geographic factors;

Whereas residents in rural areas face barriers accessing health care due to higher rates of uninsurance and underinsurance, lack of reliable transportation options, increased exposure to public health and occupational hazards, and a limited number of available providers, especially those providing specialized care;

Whereas rural health facilities in the United States face systemic challenges, including clinician workforce shortages, difficulty accessing certain technologies such as telehealth, and lower volumes of services spread over fixed costs;

Whereas the systemic challenges rural health facilities face have contributed to 150 rural hospital closures since 2010;

Whereas the systemic challenges rural health facilities face have made it more difficult for all rural health care facilities to keep their doors open and serve patients;

Whereas National Rural Health Day was established to honor rural communities in the United States and the contributions and efforts of rural communities in addressing the unique challenges facing rural health care;

Whereas the National Organization of State Offices of Rural Health has recognized National Rural Health Day to be the third Thursday of each November since 2011, in collaboration with partners such as the National Rural Health Association; and

Whereas National Rural Health Day will be recognized this year on November 16, 2023: Now, therefore, be it

Resolved, That the Senate—

(1) designates November 16, 2023, as ''National Rural Health Day'';

(2) recognizes and supports the goals and ideals of National Rural Health Day;

(3) celebrates rural health care providers and the millions of individuals in the United States that rural health care providers serve; and

(4) expresses a commitment to advancing policies to improve health care accessibility and affordability in rural areas of the United States.

SENATE RESOLUTION 471—EXPRESSING SUPPORT FOR THE GOALS OF NATIONAL ADOPTION DAY AND NATIONAL ADOPTION MONTH BY PROMOTING NATIONAL AWARENESS OF ADOPTION AND THE CHILDREN AWAITING FAMILIES, CELEBRATING CHILDREN AND FAMILIES INVOLVED IN ADOPTION, AND ENCOURAGING THE PEOPLE OF THE UNITED STATES TO SECURE SAFETY, PERMANENCY, AND WELL-BEING FOR ALL CHILDREN

Ms. KLOBUCHAR (for herself, Mr. CRAMER, Ms. BALDWIN, Mr. BARRASSO, Mr. BENNET, Mrs. BLACKBURN, Mr. BLUMENTHAL, Mr. BOOZMAN, Mr. CASEY, Ms. COLLINS, Mr. CORNYN, Mr. CRAPO, Mr. DAINES, Ms. DUCKWORTH, Mr. DURBIN, Mrs. FISCHER, Mr. GRASSLEY, Ms. HASSAN, Mr. HOEVEN, Mrs. HYDE-SMITH, Mr. KING, Mr. LANKFORD, Mr. MANCHIN, Mr. RISCH, Ms. ROSEN, Mr. RUBIO, Mr. SCOTT of South Carolina, Ms. SMITH, Ms. STABENOW, Mr. TUBERVILLE, Mr. VAN HOLLEN, Ms. WARREN, Mr. WICKER, Mr. WYDEN, Mr. BOOKER, Mr. BRAUN, Ms. LUMMIS, Mr. MULLIN, Mr. SCOTT of Florida, and Mr. THUNE) submitted the following resolution; which was considered and agreed to:

S. RES. 471

Whereas there are millions of unparented children in the world, including 391,000 children in the foster care system in the United States, approximately 114,000 of whom are waiting for families to adopt them;

Whereas the average length of time a child spends in foster care waiting to be adopted is 33.7 months;

Whereas, for many unparented children, the wait for a loving family, in which the children are nurtured, comforted, and protected, seems endless;

Whereas, in 2021, 14,380 children were at risk of aging out of foster care by reaching adulthood without being placed in a permanent home;

Whereas, every day, loving and nurturing families are strengthened and expanded when committed and dedicated individuals make an important difference in the life of a child through adoption;

Whereas, while nearly a quarter of individuals in the United States have considered adoption, a majority of individuals in the United States have misperceptions about the process of adopting children from foster care and the children who are eligible for adoption;

Whereas family reunification, kinship care, and domestic and intercountry adoption promote greater permanency and stability for children;

Whereas the Children's Bureau, an office of the Administration for Children and Families within the Department of Health and Human Services, supports programs, research, and monitoring to help eliminate barriers to adoption and find permanent families for children;

Whereas National Adoption Day is a collective national effort to find permanent, loving families for children in the foster care system;

Whereas, since the first National Adoption Day in 2000, more than 75,000 children have joined permanent families on National Adoption Day;

Whereas the President traditionally issues an annual proclamation to declare the month of November as National Adoption Month, and the President has proclaimed November 2023 as National Adoption Month; and

Whereas the Saturday before Thanksgiving has been recognized as National Adoption Day since at least 2000, and in 2023, the Saturday before Thanksgiving is November 18: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of National Adoption Day and National Adoption Month;

(2) recognizes that every child should have a permanent and loving family; and

(3) encourages the people of the United States to consider adoption during the month of November and throughout the year.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1366. Mr. PAUL proposed an amendment to the bill H.R. 6363, making further continuing appropriations for fiscal year 2024, and for other purposes.

SA 1367. Mr. PETERS proposed an amendment to the bill S. 3000, to repeal Freedom Support Act section 907 waiver authority with respect to assistance to Azerbaijan.

SA 1368. Mr. SCHUMER (for Ms. BALDWIN) proposed an amendment to the bill S. 106, to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to award grants to States to improve outreach to veterans, and for other purposes.

SA 1369. Mr. SCHUMER (for Mr. BRAUN) proposed an amendment to the bill S. 1510, to amend provisions relating to the Office of the Inspector General of the Government Accountability Office, and for other purposes.

TEXT OF AMENDMENTS

SA 1366. Mr. PAUL proposed an amendment to the bill H.R. 6363, making further continuing appropriations for fiscal year 2024, and for other purposes; as follows:

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

SEC. ___. FIFTEEN PERCENT REDUCTION IN CONTINUING FUNDING EXCEPT FOR DEPARTMENT OF DEFENSE, MILITARY CONSTRUCTION, AND DEPARTMENT OF VETERANS AFFAIRS AND RESCISSION OF IRS ENFORCEMENT FUNDS.

Division A of the Continuing Appropriations Act, 2024 and Other Extensions Act (Public Law 118–15), as amended by section 101 of this division, is further amended by inserting after section 146 the following:

''SEC. 147. (a) Except as provided in subsection (b), the rate for operations provided by section 101 of this division is hereby reduced by 15.0 percent.

''(b) The rate for operations shall not be reduced under subsection (a) with respect to the appropriation Act described in section 101(3) (relating to the Department of Defense Appropriations Act, 2023) or the appropriation Act described in section 101(10) (relating to the Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2023).

''SEC. 148. Of the unobligated balances of amounts appropriated or otherwise made available for enforcement activities of the Internal Revenue Service by section 10301(1)(A)(ii) of Public Law 117–169 (commonly known as the ''Inflation Reduction Act of 2022'') as of the date of enactment of this Act, $30,000,000,000 are hereby rescinded.''.

SA 1367. Mr. PETERS proposed an amendment to the bill S. 3000, to repeal Freedom Support Act section 907 waiver authority with respect to assistance to Azerbaijan; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Armenian Protection Act of 2023''.

SEC. 2. FREEDOM SUPPORT ACT SECTION 907 WAIVER REPEAL.

The President may not exercise the waiver authority provided pursuant to title II of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2002 (Public Law 107–115) (22 U.S.C. 5812 note), under the heading ''ASSISTANCE FOR THE INDEPENDENT STATES OF THE FORMER SOVIET UNION'' under subsection (g), with respect to amounts appropriated or otherwise made available for fiscal years 2024 or 2025.

SA 1368. Mr. SCHUMER (for Ms. BALDWIN) proposed an amendment to the bill S. 106, to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to award grants to States to improve outreach to veterans, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. AUTHORITY FOR SECRETARY OF VETERANS AFFAIRS TO AWARD GRANTS TO STATES TO IMPROVE OUTREACH TO VETERANS.

(a) IN GENERAL.—Chapter 63 of title 38, United States Code, is amended—

(1) by redesignating sections 6307 and 6308 as sections 6308 and 6309, respectively; and

(2) by inserting after section 6306 the following new section 6307:

''§ 6307. Grants to States to improve outreach to veterans

''(a) PURPOSE.—It is the purpose of this section to provide for assistance by the Secretary to States to carry out programs that improve covered outreach and assistance to veterans and the spouses, children, and parents of veterans, to ensure that such individuals are fully informed about, and assisted in

applying for, any veterans and veterans-related benefits and programs (including State veterans programs) for which they may be eligible.

''(b) AUTHORITY.—The Secretary may award grants to States—

''(1) to carry out, coordinate, improve, or otherwise enhance—

''(A) covered outreach activities; or

''(B) activities to assist in the development and submittal of claims for veterans and veterans-related benefits; or

''(2) to increase the number of county or tribal veterans service officers serving in the State by hiring new, additional such officers.

''(c) APPLICATION.—(1) To be eligible for a grant under this section, a State shall submit to the Secretary an application therefor at such time, in such manner, and containing such information as the Secretary may require.

''(2) Each application submitted under paragraph (1) shall include the following:

''(A) A detailed plan for the use of the grant.

''(B) A description of the programs through which the State will meet the outcome measures developed by the Secretary under subsection (i).

''(C) A description of how the State will distribute grant amounts equitably among counties with varying levels of urbanization.

''(D) A plan for how the grant will be used to meet the unique needs of American Indian veterans, Alaska Native veterans, or Native Hawaiian veterans, elderly veterans, and veterans from other underserved communities.

''(d) DISTRIBUTION.—The Secretary shall seek to ensure that grants awarded under this section are equitably distributed among States with varying levels of urbanization.

''(e) PRIORITY.—The Secretary shall prioritize awarding grants under this section that will serve the following areas:

''(1) Areas with a critical shortage of county or tribal veterans service officers.

''(2) Areas with high rates of—

''(A) suicide among veterans; or

''(B) referrals to the Veterans Crisis Line.

''(f) USE OF COUNTY OR TRIBAL VETERANS SERVICE OFFICERS.—A State that receives a grant under this section to carry out an activity described in subsection (b)(1) shall carry out the activity through—

''(1) a county or tribal veterans service officer of the State; or

''(2) if the State does not have a county or tribal veterans service officer, or if the county or tribal veterans service officers of the State cover only a portion of that State, an appropriate entity of a State, local, or tribal government, or another publicly funded entity, as determined by the Secretary.

''(g) REQUIRED ACTIVITIES.—Any grant awarded under this section shall be used—

''(1) to expand existing programs, activities, and services;

''(2) to hire new, additional county or tribal veterans service officers; or

''(3) for travel and transportation to facilitate carrying out paragraph (1) or (2).

''(h) AUTHORIZED ACTIVITIES.—A grant under this section may be used to provide education and training, including on-the-job training, for State, county, local, and tribal government employees who provide (or when trained will provide) covered outreach services in order for those employees to obtain accreditation in accordance with procedures approved by the Secretary.

''(i) OUTCOME MEASURES.—(1) The Secretary shall develop and provide to each State that receives a grant under this section written guidance on the following:

''(A) Outcome measures.

''(B) Policies of the Department.

''(2) In developing outcome measures under paragraph (1), the Secretary shall consider the following goals:

''(A) Increasing the use of veterans and veterans-related benefits, particularly among vulnerable populations.

''(B) Increasing the number of county and tribal veterans service officers recognized by the Secretary for the representation of veterans under chapter 59 of this title.

''(j) TRACKING REQUIREMENTS.—(1) With respect to each grant awarded under this section, the Secretary shall track the use of veterans and veterans-related benefits among the population served by the grant, including the average period of time between the date on which a veteran applies for such a benefit and the date on which the veteran receives the benefit, disaggregated by type of benefit.

''(2) Not less frequently than annually, the Secretary shall submit to Congress a report on the information tracked under paragraph (1).

''(k) PERFORMANCE REVIEW.—(1) The Secretary shall—

''(A) review the performance of each State that receives a grant under this section; and

''(B) make information regarding such performance publicly available.

''(l) REMEDIATION PLAN.—(1) In the case of a State that receives a grant under this section and does not meet the outcome measures developed by the Secretary under subsection (i), the Secretary shall require the State to submit a remediation plan under which the State shall describe how and when it plans to meet such outcome measures.

''(2) The Secretary may not award a subsequent grant under this section to a State described in paragraph (1) unless the Secretary approves the remediation plan submitted by the State.

''(m) DEFINITIONS.—In this section:

''(1) The term 'county or tribal veterans service officer' includes a local equivalent veterans service officer.

''(2) The term 'covered outreach' means outreach with respect to—

''(A) benefits administered by the Under Secretary for Benefits; or

''(B) similar benefits administered by a State or Indian Tribe.

''(3) The term 'Veterans Crisis Line' means the toll-free hotline for veterans established under section 1720F(h) of this title.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 63 of such title is amended by striking the items relating to sections 6307 and 6308 and inserting the following new items:

''6307. Grants to States to improve outreach to veterans.
''6308. Outreach for eligible dependents.
''6309. Biennial report to Congress.''.

SA 1369. Mr. SCHUMER (for Mr. BRAUN) proposed an amendment to the bill S. 1510, to amend provisions relating to the Office of the Inspector General of the Government Accountability Office, 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 ''GAO Inspector General Parity Act''.

SEC. 2. OFFICE OF THE INSPECTOR GENERAL OF THE GOVERNMENT ACCOUNTABILITY OFFICE.

Section 705 of title 31, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (2)—

(i) by inserting ''(A)'' before ''The Inspector General'';

(ii) in subparagraph (A), as so designated, by striking the second sentence; and

(iii) by adding at the end the following:

''(B) If the Inspector General is removed from office or is transferred to another position or location within the Government Accountability Office, the Comptroller General shall communicate in writing the substantive rationale, including detailed and case-specific reasons, for any such removal or transfer to both Houses of Congress (including to the appropriate congressional committees), not later than 30 days before the removal or transfer.

''(C) If there is an open or completed inquiry into the Inspector General that relates to the removal or transfer of the Inspector General under subparagraph (A), the written communication required under subparagraph (B) shall—

''(i) identify each entity that is conducting, or that conducted, the inquiry; and

''(ii) in the case of a completed inquiry, contain the findings made during the inquiry.

''(D) Nothing in this paragraph shall prohibit a personnel action otherwise authorized by law, other than transfer or removal.'';

(B) by redesignating paragraph (3) as paragraph (4); and

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

''(3)(A) Subject to the other provisions of this paragraph, only the Comptroller General may place the Inspector General on non-duty status.

''(B) If the Comptroller General places the Inspector General on non-duty status, the Comptroller General shall communicate in writing the substantive rationale, including detailed and case-specific reasons, for the change in status to both Houses of Congress (including to the appropriate congressional committees) not later than 15 days before the date on which the change in status takes effect, except that the Comptroller General may submit that communication not later than the date on which the change in status takes effect if—

''(i) the Comptroller General has made a determination that the continued presence of the Inspector General in the workplace poses a specific threat; and

''(ii) in the communication, the Comptroller General includes a report on the determination described in clause (i), which shall include—

''(I) the substantive rationale, including detailed and case-specific reasons, for the determination made under clause (i);

''(II) an identification of each entity that is conducting, or that conducted, any inquiry upon which the determination under clause (i) was made; and

''(III) in the case of an inquiry described in subclause (II) that is completed, the findings made during that inquiry.

''(C) The Comptroller General may not place the Inspector General on non-duty status during the 30-day period preceding the date on which the Inspector General is removed or transferred under paragraph (2)(A) unless the Comptroller General—

''(i) has made a determination that the continued presence of the Inspector General in the workplace poses a specific threat; and

''(ii) not later than the date on which the change in status takes effect, submits to both Houses of Congress (including to the appropriate congressional committees) a written communication that contains the information required under subparagraph (B), including the report required under clause (ii) of that subparagraph.

''(D) Nothing in this paragraph may be construed to limit or otherwise modify any statutory protection that is afforded to the Inspector General or a personnel action that is otherwise authorized by law.'';

(2) in subsection (f)—

(A) by striking ''The Comptroller General'' and inserting the following:

''(1) PROHIBITION.—The Comptroller General''; and

(B) by adding at the end the following:

''(2) BUDGET INDEPENDENCE.—The Comptroller General shall include the annual budget request of the Inspector General in the budget of the Government Accountability Office without change.''; and

(3) in subsection (g)—

(A) in paragraph (1), in the second sentence, by striking '', except that no personnel of the Office may be paid at an annual rate greater than $1,000 less than the annual rate of pay of the Inspector General''; and

(B) by adding at the end the following:

''(5) LEGAL ADVICE.—The Inspector General shall, in accordance with applicable laws and regulations governing selections, appointments, and employment at the Government Accountability Office, obtain legal advice from a counsel reporting directly to the Inspector General or another Inspector General.''.

NOTICE OF INTENT TO OBJECT TO PROCEEDING

I, Senator RON WYDEN, intend to object to proceeding to S. 1409, a bill to protect the safety of children on the internet, dated November 15, 2023.

AUTHORITY FOR COMMITTEES TO MEET

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

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

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works is authorized to meet during the session of the Senate on Wednesday, November 15, 2023, at 10 a.m., to conduct a hearing.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Wednesday, November 15, 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 Wednesday, November 15, 2023, at 11 a.m., to conduct a business meeting.

COMMITTEE ON INDIAN AFFAIRS

The Committee on Indian Affairs is authorized to meet during the session of the Senate on Wednesday, November 15, 2023, at 2:30 p.m., to conduct a business meeting.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Wednesday, November 15, 2023, at 10 a.m., to conduct a hearing on nominations.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

The Committee on Small Business and Entrepreneurship is authorized to meet during the session of the Senate on Wednesday, November 15, 2023, at 2:30 p.m., to conduct a hearing.

COMMITTEE ON VETERANS' AFFAIRS

The Committee on Veterans' Affairs is authorized to meet during the session of the Senate on Wednesday, November 15, 2023, at 3:30 p.m., to conduct a hearing.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Wednesday, November 15, 2023, at 2:30 p.m., to conduct a closed briefing.

REPORT OF THE SECRETARY OF THE SENATE

UNITED STATES SENATE,
OFFICE OF THE SECRETARY,
Washington, DC, November 13, 2023.

Hon. KAMALA HARRIS,
President of the United States Senate, Washington, DC.

MADAM: I have the honor to submit a full and complete statement of the receipts and expenditures of the Senate, showing in detail the items of expense under proper appropriations, the aggregate thereof, and exhibiting the exact condition of all public moneys received, paid out, and remaining in my possession from April 1, 2023 to September 30, 2023, in compliance with Section 105 of Public Law 88–454, approved August 20, 1964, as amended.

Sincerely,

SONCERIA A. BERRY,
Secretary of the Senate.

COMMITMENT TO VETERAN SUPPORT AND OUTREACH ACT

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration Calendar No. 117, S. 106.

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

The legislative clerk read as follows:

A bill (S. 106) to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to award grants to States to improve outreach to veterans, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Veterans' Affairs 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 ''Commitment to Veteran Support and Outreach Act''.

SEC. 2. AUTHORITY FOR SECRETARY OF VETERANS AFFAIRS TO AWARD GRANTS TO STATES TO IMPROVE OUTREACH TO VETERANS.

(a) IN GENERAL.—Chapter 63 of title 38, United States Code, is amended—

(1) by redesignating sections 6307 and 6308 and sections 6308 and 6309, respectively; and

(2) by inserting after section 6306 the following new section 6307:

''§ 6307. Grants to States to improve outreach to veterans

''(a) PURPOSE.—It is the purpose of this section to provide for assistance by the Secretary to States to carry out programs that improve outreach and assistance to veterans and the spouses, children, and parents of veterans, to ensure that such individuals are fully informed about, and assisted in applying for, any veterans and veterans-related benefits and programs (including State veterans programs) for which they may be eligible.

''(b) AUTHORITY.—The Secretary may award grants to States—

''(1) to carry out, coordinate, improve, or otherwise enhance—

''(A) outreach activities; or

''(B) activities to assist in the development and submittal of claims for veterans and veterans-related benefits; or

''(2) to increase the number of county or tribal veterans service officers serving in the State by hiring new, additional such officers.

''(c) APPLICATION.—(1) To be eligible for a grant under this section, a State shall submit to the Secretary an application therefor at such time, in such manner, and containing such information as the Secretary may require.

''(2) Each application submitted under paragraph (1) shall include the following:

''(A) A detailed plan for the use of the grant.

''(B) A description of the programs through which the State will meet the outcome measures developed by the Secretary under subsection (i).

''(C) A description of how the State will distribute grant amounts equitably among counties with varying levels of urbanization.

''(D) A plan for how the grant will be used to meet the unique needs of American Indian veterans, Alaska Native veterans, or Native Hawaiian veterans, elderly veterans, women veterans, and veterans from other underserved communities.

''(d) DISTRIBUTION.—The Secretary shall seek to ensure that grants awarded under this section are equitably distributed among States with varying levels of urbanization.

''(e) PRIORITY.—The Secretary shall prioritize awarding grants under this section that will serve the following areas:

''(1) Areas with a critical shortage of county or tribal veterans service officers.

''(2) Areas with high rates of—

''(A) suicide among veterans; or

''(B) referrals to the Veterans Crisis Line.

''(f) USE OF COUNTY OR TRIBAL VETERANS SERVICE OFFICERS.—A State that receives a grant under this section to carry out an activity described in subsection (b)(1) shall carry out the activity through—

''(1) a county or tribal veterans service officer of the State; or

''(2) if the State does not have a county or tribal veterans service officer, or if the county or tribal veterans service officers of the State cover only a portion of that State, an appropriate entity of a State, local, or tribal government, or another publicly funded entity, as determined by the Secretary.

''(g) REQUIRED ACTIVITIES.—Any grant awarded under this section shall be used—

''(1) to expand existing programs, activities, and services;

''(2) to hire new, additional county or tribal veterans service officers; or

''(3) for travel and transportation to facilitate carrying out paragraph (1) or (2).

''(h) AUTHORIZED ACTIVITIES.—A grant under this section may be used to provide education and training, including on-the-job training, for State, county, local, and tribal government employees who provide (or when trained will provide) veterans outreach services in order for those employees to obtain accreditation in accordance with procedures approved by the Secretary.

''(i) OUTCOME MEASURES.—(1) The Secretary shall develop and provide to each State that receives a grant under this section written guidance on the following:

''(A) Outcome measures.

''(B) Policies of the Department.

''(2) In developing outcome measures under paragraph (1), the Secretary shall consider the following goals:

''(A) Increasing the use of veterans and veterans-related benefits, particularly among vulnerable populations.

''(B) Increasing the number of county and tribal veterans service officers recognized by the Secretary for the representation of veterans under chapter 59 of this title.

''(j) TRACKING REQUIREMENTS.—(1) With respect to each grant awarded under this section, the Secretary shall track the use of veterans and veterans-related benefits among the population served by the grant, including the average period of time between the date on which a veteran applies for such a benefit and the date on which the veteran receives the benefit, disaggregated by type of benefit.

''(2) Not less frequently than annually, the Secretary shall submit to Congress a report on the information tracked under paragraph (1).

''(k) PERFORMANCE REVIEW.—(1) The Secretary shall—

''(A) review the performance of each State that receives a grant under this section; and

''(B) make information regarding such performance publicly available.

''(l) REMEDIATION PLAN.—(1) In the case of a State that receives a grant under this section and does not meet the outcome measures developed by the Secretary under subsection (i), the Secretary shall require the State to submit a remediation plan under which the State shall describe how and when it plans to meet such outcome measures.

''(2) The Secretary may not award a subsequent grant under this section to a State described in paragraph (1) unless the Secretary approves the remediation plan submitted by the State.

''(m) MAXIMUM AMOUNT.—The amount of a grant awarded under this section may not exceed 10 percent of amounts made available for grants under this section for the fiscal year in which the grant is awarded.

''(n) SUPPLEMENT, NOT SUPPLANT.—Any grant awarded under this section shall be used to supplement and not supplant State and local funding that is otherwise available.

''(o) DEFINITIONS.—In this section:

''(1) The term 'county or tribal veterans service officer' includes a local equivalent veterans service officer.

''(2) The term 'Veterans Crisis Line' means the toll-free hotline for veterans established under section 1720F(h) of this title.

''(p) FUNDING.—(1) Amounts for the activities of the Department under this section shall be budgeted and appropriated through a separate appropriation account.

''(2) In the budget justification materials submitted to Congress in support of the Department budget for any fiscal year (as submitted with the budget of the President under section 1105(a) of title 31), the Secretary shall include a separate statement of the amount requested to be appropriated for that fiscal year for the account specified in paragraph (1).

''(q) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary for each of fiscal years 2023, 2024, and 2025, $50,000,000 to carry out this section.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 63 of such title is amended by striking the items relating to sections 6307 and 6308 and inserting the following new items:

''6307. Grants to States to improve outreach to veterans.
''6308. Outreach for eligible dependents.
''6309. Biennial report to Congress.''.

Mr. SCHUMER. I further ask that the committee-reported substitute amendment be withdrawn; that the Baldwin substitute amendment, which is at the desk, be considered and 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 with no intervening action or debate.

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

The committee-reported amendment, in the nature of a substitute, was withdrawn.

The amendment (No. 1368), in the nature of a substitute, was agreed to, as follows:

(Purpose: To improve the bill)

Strike all after the enacting clause and insert the following:

SECTION 1. AUTHORITY FOR SECRETARY OF VETERANS AFFAIRS TO AWARD GRANTS TO STATES TO IMPROVE OUTREACH TO VETERANS.

(a) IN GENERAL.—Chapter 63 of title 38, United States Code, is amended—

(1) by redesignating sections 6307 and 6308 as sections 6308 and 6309, respectively; and

(2) by inserting after section 6306 the following new section 6307:

''§ 6307. Grants to States to improve outreach to veterans

''(a) PURPOSE.—It is the purpose of this section to provide for assistance by the Secretary to States to carry out programs that improve covered outreach and assistance to veterans and the spouses, children, and parents of veterans, to ensure that such individuals are fully informed about, and assisted in applying for, any veterans and veterans-related benefits and programs (including State veterans programs) for which they may be eligible.

''(b) AUTHORITY.—The Secretary may award grants to States—

''(1) to carry out, coordinate, improve, or otherwise enhance—

''(A) covered outreach activities; or

''(B) activities to assist in the development and submittal of claims for veterans and veterans-related benefits; or

''(2) to increase the number of county or tribal veterans service officers serving in the State by hiring new, additional such officers.

''(c) APPLICATION.—(1) To be eligible for a grant under this section, a State shall submit to the Secretary an application therefor at such time, in such manner, and containing such information as the Secretary may require.

''(2) Each application submitted under paragraph (1) shall include the following:

''(A) A detailed plan for the use of the grant.

''(B) A description of the programs through which the State will meet the outcome measures developed by the Secretary under subsection (i).

''(C) A description of how the State will distribute grant amounts equitably among counties with varying levels of urbanization.

''(D) A plan for how the grant will be used to meet the unique needs of American Indian veterans, Alaska Native veterans, or Native Hawaiian veterans, elderly veterans, and veterans from other underserved communities.

''(d) DISTRIBUTION.—The Secretary shall seek to ensure that grants awarded under this section are equitably distributed among States with varying levels of urbanization.

''(e) PRIORITY.—The Secretary shall prioritize awarding grants under this section that will serve the following areas:

''(1) Areas with a critical shortage of county or tribal veterans service officers.

''(2) Areas with high rates of—

''(A) suicide among veterans; or

''(B) referrals to the Veterans Crisis Line.

''(f) USE OF COUNTY OR TRIBAL VETERANS SERVICE OFFICERS.—A State that receives a grant under this section to carry out an activity described in subsection (b)(1) shall carry out the activity through—

''(1) a county or tribal veterans service officer of the State; or

''(2) if the State does not have a county or tribal veterans service officer, or if the county or tribal veterans service officers of the State cover only a portion of that State, an appropriate entity of a State, local, or tribal government, or another publicly funded entity, as determined by the Secretary.

''(g) REQUIRED ACTIVITIES.—Any grant awarded under this section shall be used—

''(1) to expand existing programs, activities, and services;

''(2) to hire new, additional county or tribal veterans service officers; or

''(3) for travel and transportation to facilitate carrying out paragraph (1) or (2).

''(h) AUTHORIZED ACTIVITIES.—A grant under this section may be used to provide education and training, including on-the-job training, for State, county, local, and tribal government employees who provide (or when trained will provide) covered outreach services in order for those employees to obtain accreditation in accordance with procedures approved by the Secretary.

''(i) OUTCOME MEASURES.—(1) The Secretary shall develop and provide to each State that receives a grant under this section written guidance on the following:

''(A) Outcome measures.

''(B) Policies of the Department.

''(2) In developing outcome measures under paragraph (1), the Secretary shall consider the following goals:

''(A) Increasing the use of veterans and veterans-related benefits, particularly among vulnerable populations.

''(B) Increasing the number of county and tribal veterans service officers recognized by the Secretary for the representation of veterans under chapter 59 of this title.

''(j) TRACKING REQUIREMENTS.—(1) With respect to each grant awarded under this section, the Secretary shall track the use of veterans and veterans-related benefits among the population served by the grant, including the average period of time between the date on which a veteran applies for such a benefit and the date on which the veteran receives the benefit, disaggregated by type of benefit.

''(2) Not less frequently than annually, the Secretary shall submit to Congress a report on the information tracked under paragraph (1).

''(k) PERFORMANCE REVIEW.—(1) The Secretary shall—

''(A) review the performance of each State that receives a grant under this section; and

''(B) make information regarding such performance publicly available.

''(l) REMEDIATION PLAN.—(1) In the case of a State that receives a grant under this section and does not meet the outcome measures developed by the Secretary under subsection (i), the Secretary shall require the State to submit a remediation plan under which the State shall describe how and when it plans to meet such outcome measures.

''(2) The Secretary may not award a subsequent grant under this section to a State described in paragraph (1) unless the Secretary approves the remediation plan submitted by the State.

''(m) DEFINITIONS.—In this section:

''(1) The term 'county or tribal veterans service officer' includes a local equivalent veterans service officer.

''(2) The term 'covered outreach' means outreach with respect to—

''(A) benefits administered by the Under Secretary for Benefits; or

''(B) similar benefits administered by a State or Indian Tribe.

''(3) The term 'Veterans Crisis Line' means the toll-free hotline for veterans established under section 1720F(h) of this title.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 63 of such title is amended by striking the items relating to sections 6307 and 6308 and inserting the following new items:

''6307. Grants to States to improve outreach to veterans.
''6308. Outreach for eligible dependents.
''6309. Biennial report to Congress.''.

The bill (S. 106), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

GAO INSPECTOR GENERAL PARITY ACT

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration Calendar No. 191, S. 1510.

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

The legislative clerk read as follows:

A bill (S. 1510) to amend provisions relating to the Office of the Inspector General of the Government Accountability Office, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which was reported from the Committee on Homeland Security and Governmental Affairs.

Mr. SCHUMER. I ask unanimous consent that the Braun substitute amendment at the desk be considered and 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 with no intervening action or debate.

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

The amendment (No. 1369) was agreed to, as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''GAO Inspector General Parity Act''.

SEC. 2. OFFICE OF THE INSPECTOR GENERAL OF THE GOVERNMENT ACCOUNTABILITY OFFICE.

Section 705 of title 31, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (2)—

(i) by inserting ''(A)'' before ''The Inspector General'';

(ii) in subparagraph (A), as so designated, by striking the second sentence; and

(iii) by adding at the end the following:

''(B) If the Inspector General is removed from office or is transferred to another position or location within the Government Accountability Office, the Comptroller General shall communicate in writing the substantive rationale, including detailed and case-specific reasons, for any such removal or transfer to both Houses of Congress (including to the appropriate congressional committees), not later than 30 days before the removal or transfer.

''(C) If there is an open or completed inquiry into the Inspector General that relates to the removal or transfer of the Inspector General under subparagraph (A), the written communication required under subparagraph (B) shall—

''(i) identify each entity that is conducting, or that conducted, the inquiry; and

''(ii) in the case of a completed inquiry, contain the findings made during the inquiry.

''(D) Nothing in this paragraph shall prohibit a personnel action otherwise authorized by law, other than transfer or removal.'';

(B) by redesignating paragraph (3) as paragraph (4); and

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

''(3)(A) Subject to the other provisions of this paragraph, only the Comptroller General may place the Inspector General on non-duty status.

''(B) If the Comptroller General places the Inspector General on non-duty status, the Comptroller General shall communicate in writing the substantive rationale, including detailed and case-specific reasons, for the change in status to both Houses of Congress (including to the appropriate congressional committees) not later than 15 days before the date on which the change in status takes effect, except that the Comptroller General may submit that communication not later than the date on which the change in status takes effect if—

''(i) the Comptroller General has made a determination that the continued presence of the Inspector General in the workplace poses a specific threat; and

''(ii) in the communication, the Comptroller General includes a report on the determination described in clause (i), which shall include—

''(I) the substantive rationale, including detailed and case-specific reasons, for the determination made under clause (i);

''(II) an identification of each entity that is conducting, or that conducted, any inquiry upon which the determination under clause (i) was made; and

''(III) in the case of an inquiry described in subclause (II) that is completed, the findings made during that inquiry.

''(C) The Comptroller General may not place the Inspector General on non-duty status during the 30-day period preceding the date on which the Inspector General is removed or transferred under paragraph (2)(A) unless the Comptroller General—

''(i) has made a determination that the continued presence of the Inspector General in the workplace poses a specific threat; and

''(ii) not later than the date on which the change in status takes effect, submits to both Houses of Congress (including to the appropriate congressional committees) a written communication that contains the information required under subparagraph (B), including the report required under clause (ii) of that subparagraph.

''(D) Nothing in this paragraph may be construed to limit or otherwise modify any statutory protection that is afforded to the Inspector General or a personnel action that is otherwise authorized by law.'';

(2) in subsection (f)—

(A) by striking ''The Comptroller General'' and inserting the following:

''(1) PROHIBITION.—The Comptroller General''; and

(B) by adding at the end the following:

''(2) BUDGET INDEPENDENCE.—The Comptroller General shall include the annual budget request of the Inspector General in the budget of the Government Accountability Office without change.''; and

(3) in subsection (g)—

(A) in paragraph (1), in the second sentence, by striking '', except that no personnel of the Office may be paid at an annual rate greater than $1,000 less than the annual rate of pay of the Inspector General''; and

(B) by adding at the end the following:

''(5) LEGAL ADVICE.—The Inspector General shall, in accordance with applicable laws and regulations governing selections, appointments, and employment at the Government Accountability Office, obtain legal advice from a counsel reporting directly to the Inspector General or another Inspector General.''.

The bill (S. 1510), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

RESOLUTIONS SUBMITTED TODAY

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the en bloc consideration of the following Senate resolutions: S. Res. 468, S. Res. 469, S. Res. 470, S. Res. 471.

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

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

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

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

The resolutions were agreed to.

The preambles were agreed to.

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

ORDERS FOR FRIDAY, NOVEMBER 17, 2023, THROUGH MONDAY, NOVEMBER 27, 2023

Mr. SCHUMER. Finally, I ask unanimous consent that when the Senate completes its business today, it adjourn to then convene for pro forma sessions only, with no business being conducted, on the following dates and times, and that following each pro forma session, the Senate adjourn until the next pro forma session: Friday, November 17 at 7:30 a.m.; Tuesday, November 21, at 10 a.m.; Friday, November 24, at 11 a.m.; further, that when the Senate adjourns on Friday, November 24, it stand adjourned until 3 p.m. on Monday, November 27; that on Monday, following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and morning business be closed; that following the conclusion of morning business, the Senate proceed to executive session to resume consideration of the Bryan nomination; further, that the cloture motions filed during today's session ripen at 5:30 p.m. on Monday, November 27.

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

ORDER FOR ADJOURNMENT

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, following the remarks of my many Republican colleagues.

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

The Senator from Alaska.

UNANIMOUS CONSENT REQUESTS—EXECUTIVE CALENDAR

Mr. SULLIVAN. Mr. President, I am honored to be down here again with Senators GRAHAM, ERNST, and YOUNG. We were down on the floor 2 weeks ago, and at that time, we promised military members and their families that we had their back; that we would keep coming down to the Senate floor to try to move forward their nominations and confirmations that have been stalled.

By the way, after that session, 5 hours, we tried to move forward nominees who have nothing to do with the policy dispute that is at issue here—I think we are all in agreement on the policy dispute—we received hundreds of text messages, e-mails from military families, saying: Thank you for having our back. Somebody has our back. Somebody is speaking out for us.

So we have told them we are going to do that as we are moving into Thanksgiving. My colleagues and I, we are going to keep our word. We keep our word to our military.

Now, during that time in the last 2 weeks, we have all worked hard together. Senator TUBERVILLE is here. Senator LEE is on the floor. We are all working hard to try and resolve this. We have ideas. Senator GRAHAM is going to talk a little bit more about litigation, about switching the holds from the innocent members of the military to the civilians who are making the policy, that is the appropriate—to fighting this abortion policy of the Biden administration, DOD, and the NDAA.

So we are still working on that. I want to extend that to my colleagues, but the backlog grows. Right now, when Armed Services reports out the next batch of military officers, it will be 450, one-, two-, three-, and four-star generals—450. This is having a huge readiness challenge and a huge morale challenge while our troops are literally—literally—in combat, literally under fire. Some of these being held in the Middle East, in terms of their promotions, are in combat right now. The world is a very dangerous place.

Very quickly, my Democrat colleagues, the Biden administration, they seem to take a certain delight in what is happening here. I don't take a delight in this at all. I don't relish this at all. I like working with my Republican colleagues. I wish we could resolve this.

I am on the floor here more out of sadness and frustration than anger, and I really do wish, with my colleague Senator TUBERVILLE, that we can find a way forward on this fast so we can turn to an even bigger readiness problem, and that is the Biden administration's lack of seriousness when it comes to the Department of Defense: cutting the budgets every year; the current budget shrinks the Army, Navy, Air Force, Marine Corps; the civilian woke focus of this administration. They are not serious on our national defense and military.

We need to get through that. Senator TUBERVILLE and I actually were the ones who made the majority leader bring forward the members of the Joint Chiefs of Staff. So on the other side of the aisle, there wasn't a lot of seriousness on moving people either.

So I hope we can resolve this issue and focus on even the bigger readiness issue that plagues this administration right now. But there is no doubt these blanket holds are creating readiness challenges not just for flag officers; we are starting to hear of colonels and lieutenant colonels who are being stuck. So this is impacting the entire military.

Mr. President, I ask unanimous consent that the letters from the Military Officers Association of America, the Veterans of Foreign Wars, and the American Legion—this represents millions of Americans all requesting that these blanket holds be lifted—be printed in the RECORD.

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

MOAA,
Alexandria, VA, November 7, 2023.

DEAR MEMBERS OF THE U.S. SENATE: As President and CEO of the Military Officers Association of America (MOAA), one of the nation's largest military service organizations, I want to extend my appreciation for your chamber's recent work to end the promotion block facing more than 300 senior military officers—an ongoing threat to the future of the all-volunteer force and our national security.

As more positions become vacant, more families face hardships, and the strain on the readiness of our military continues, MOAA believes the time to end the promotion block has long passed. We strongly oppose Senator Tuberville's use of blanket nomination holds to protest Pentagon policies, and we urge the Senate to take advantage of your recent work and act now to end this destructive tactic before further damage is done to our military.

Talented officers on the path for future senior leadership roles are reevaluating their careers, some opting to leave uniform rather than subject their family to hardships and, frankly, insults from Senator Tuberville that demean and disrespect the sacrifices they make in defending our nation. Hearing the senator dismiss impacts to families and readiness that have been raised to him and his staff for many months is very disappointing. Future servicemembers are watching this display of political theater and are reconsidering their decision to serve. It's a potential loss of talent America cannot afford, but one our competitors love to see.

By interfering with an orderly and efficient confirmation process, Senator Tuberville is denying our military the leadership it needs to accomplish its demanding mission. And as recent events highlight, the stakes could not be higher and the need for leadership could not be greater. MOAA respects and supports the Senate's responsibility to debate policy and conduct oversight of the Department of Defense. But his blockade tactic places his own objectives over the collective will of elected colleagues and it corrupts the most fundamental principles of our democratic process. Worst of all, it puts military families in the untenable position of having to question whether the hand they raised and the oaths they take are respected by elected leaders.

With multiple conflicts abroad and significant recruiting challenges at home, our military needs its full complement of qualified, capable men and women at the helm. It's clear some damage has already been done, but we urge the Senate to find a way to act now, end this tactic, and ensure it is never used again before permanent damage is done to our military members and families.

MOAA stands ready to support your work on behalf of all who serve, across all ranks and all uniformed services. We thank you for your continued efforts on behalf of the all-volunteer force and look forward to you taking immediate actions to help restore the important and necessary trust between the military community and our elected leaders.

Very Respectfully,
LT. GEN. BRIAN T. KELLY, USAF (RET),
MOAA President and CEO.

VFW,
Washington, DC, September 18, 2023.

Hon. TOMMY TUBERVILLE,
Washington, DC.

DEAR SENATOR TUBERVILLE: On behalf of the 1.5 million members of the Veterans of Foreign Wars of the United States (VFW) and its Auxiliary, I write to call on you to lift your hold on the routine promotion of U.S. military general and flag officers. One of the VFW's top national security priorities is preserving the all-volunteer force. At a time of military recruiting challenges, the instability caused by this hold will have far-reaching consequences for the brave Americans who volunteer to serve in today's military and those who may consider future military service. The VFW called on the Senate to resolve this matter earlier this summer and now we call on you directly to end this hold before we set the very dangerous precedent of harming American service members as leverage in Washington political battles.

The VFW recently conducted a survey in which our members, including veterans in Alabama, overwhelmingly voiced their opinions on this matter. VFW members were clear that political debates in Washington should be handled among civilian political leaders. Moreover, VFW members strongly conveyed that politicians should not be able to harm the troops over political disputes and that political decisions that harm the troops would affect the way they would vote in upcoming elections.

The VFW has already heard from current service members and military families on the far-reaching effects your hold has had on both the mission and the lives of those who choose military service as a career. Preservation of the all-volunteer force demands a non-partisan and apolitical uniformed military capable of closing with and destroying our nation's enemies at the direction of its duly elected and appointed civilian leaders. When policy disputes emerge among these civilian leaders, the VFW cannot allow politicians to set the precedent of harming uniformed service members to make a point.

The world is still a dangerous place and brave Americans remain stationed around

the world, intent on keeping these dangers far from our shores. This is why the VFW is calling on you to stop this dangerous game. Games may belong on the football field, but not in the halls of the U.S. Senate. Lift the hold so the Senate may do its job by promoting our uniformed military leaders.

Sincerely,

RYAN M. GALLUCCI,
Executive Director, VFW Washington Office.

THE AMERICAN LEGION,
Washington, DC, November 8, 2023.

Hon. CHUCK SCHUMER,
Washington, DC.
Hon. MITCH MCCONNELL,
Washington, DC.

DEAR SENATE LEADERSHIP: On behalf of our 1.6 million dues-paying members, The American Legion respectfully requests your timely attention to the hundreds of U.S. military vacancies awaiting confirmation. Your leadership and the resolve of your conferences to come together and end this blockade is vital to American national security and to preserving the lives of our men and women in uniform. Failure to find a bipartisan solution to the continued political chess risks the lives of our servicemembers and the safety of our nation.

Since 1919, The American Legion has emphasized the importance of a strong national defense. A well-funded, well-equipped, and well-trained military plays a vital role in safeguarding the principles our nation holds dear. As U.S. troops are targeted in the Middle East and global tensions are on the rise, it is imperative leadership vacancies within our military are filled now! Our allies and adversaries are watching closely; inaction risks innumerable consequences.

The personal toll of confirmation purgatory extends far beyond uniformed candidates with uncertain promotions. U.S. servicemembers may pay the ultimate price if the perception of chaos continues to create opportunity for our adversaries. As we've seen in the past month alone, the Pentagon has reported more than 38 attacks against U.S. troops in the Middle East. While politicians continue to play games and use our servicemembers as pawns, their lives remain in harm's way and could be left paying the ultimate price.

The American Legion urges both conferences to come together to end the inaction holding our armed forces hostage. Your leadership is vital to protect our servicemembers, national security, and our country.

For God & Country,

DANIEL J. SEEHAFER,
National Commander.

Mr. SULLIVAN. Finally, tonight we are going to bring up some more members. I hope my colleagues don't object. When they are going to talk, I am sure they are going to talk about the Biden policy, which we all disagree with. Four Senators on the floor who were on the floor 2 weeks ago, we have a lot in common, but two big things are strongly pro-life and strongly pro-military because we are veterans. We have served. We know what sacrifice means, and we want to make sure we are protecting our military members and their families. That is a core principle, certainly, of Republicans, and we need to do that.

What I am hopeful for—hearing from my colleagues on the floor—also questions that we didn't hear from last week. My colleague from Alabama said many times that if you bring up nominees one by one, he would be fine with it. On September 6, he said: I am not holding up nominees from being approved. They can bring them to the floor one at a time, and I won't block them.

Well, that is what we are doing.

By the way, this is regular order. We did some research. There has only been two times in the last half century where there was a recorded vote on a brigadier general—twice. We are doing more than regular order here by moving these individually.

And, finally, this is the most important question I think we all think is imperative; it needs to be answered for our military members: Why punish patriotic military members over a policy dispute they have nothing to do with and can't fix? Why punish people who have seriously sacrificed for America—more than probably anyone else on the floor here, certainly—over a policy dispute they had nothing to do with? Why punish their families and the war heroes supporting these families you will hear about tonight who have served our country so faithfully, when they have nothing to do with the dispute on the floor? Why punish some of the most combat-experienced members of the military whom we need on the field now—one of the most dangerous times in the last 70 years—when they have nothing to do with this dispute?

So I was home Veterans Day in Alaska. My State has more veterans per capita than any other State in the country—very patriotic citizens. The events I went to, young Alaskans, old Alaskans really honor our veterans. Whenever I am at a ceremony and I am speaking, I always call out our Vietnam vets for special recognition because what happened to them should never happen again to any military members.

What happened to them? There were huge policy disputes over the Vietnam war at the Pentagon level, but people took it out on the troops. People took it out on the troops. They punished the troops over a policy dispute these troops had nothing to do with. They were serving honorably.

Americans always said, We will never do that again. Well, guess what? It is happening again. Troops are being punished. Families are being punished over something they have nothing to do with.

So my hope tonight is we get my colleague to lift the blanket hold and not object to these individual noms. But it is also important to understand what a blanket hold is. It is about individuals. Who are these heroes? Who is being punished? How have they served their country? How have they sacrificed?

We are going to hear a little bit about that, I hope. I think Americans who are watching will be proud when they hear about these great patriots—for those listening—but also might make you sad or frustrated or even angry that we are not keeping faith with these faithful patriots.

I am now going to turn the floor to my colleague Senator ERNST.

The PRESIDING OFFICER. The Senator from Iowa.

Ms. ERNST. Mr. President, I am privileged to be on the floor this evening in what in the military we would call a joint operation. So this evening, I am joining my marine colleagues, Senator SULLIVAN of Alaska and Senator YOUNG of Indiana, and my Air Force colleague from the great State of South Carolina. I, of course, served 23 years between the U.S. Army Reserve and the Iowa Army National Guard, deploying once for Operation Iraqi Freedom from 2003 to 2004, where I was the company commander of 150 soldiers that ran convoys from Kuwait up into Iraq, supporting our warriors to the north.

We are also joined in the chair this evening by another veteran, the Senator from Michigan in the chair, Mr. President, Naval reservist. So we truly are a joint operation under the color of purple. So thank you so much.

I am going to throw down just a little bit of how we got into this situation and a little bit more about who I am because I am pro-military, obviously, but I am also pro-life as well. I served in the Iowa State Senate. And during the time that I served in the State senate, I was a pro-life leader. I was the go-to gal for our pro-life issues in the Iowa State Senate, participating and leading in legislation to advance life, as well as participating in marches for life, in the great State of Iowa.

Coming into the U.S. Senate, then I became a member of the pro-life caucus. I have led on a number of efforts when it comes to life. Predominantly, though, one that our pro-life community has really appreciated is the effort to defund Planned Parenthood and redirect those dollars to eligible providers of women's healthcare, such as community health centers.

In February of 2023, we saw President Biden unveil his abortion travel agency plan. OK? What does this mean? It means that President Biden decided that he would send young women—whether they were family members, whether they were servicemembers—he would allow them to travel. He would send them to other States to receive abortions, that being supported by taxpayer dollars.

We feel this is wrong. It goes against the Hyde amendment. That is where President Biden put us.

Secretary Lloyd Austin implemented that plan in February, again, of 2023. And in March of 2023, then I led—I led—on the effort to overturn this policy. I introduced and led the legislation to reverse the DOD's travel abortion policy.

It was twice voted on in the Armed Services Committee during the National Defense Authorization Act process—twice voted on; twice defeated in the committee. Now, that is in the U.S. Senate.

So, again, I am pro-military, and I am pro-life. I also do not relish the fact

that I am standing on the floor this evening as we try and bring these nominations forward, but I understand the national security risks that are out there and the detriment to readiness as we continue to hold over 450 of the finest men and women that have served their Nation honorably under the flag of our Nation in our uniform.

So I will go through one by one. I have a binder full of nominees, and I do hope that our colleague from Alabama will allow us to bring them up one by one for a voice vote. Again, I have many biographies here—fabulous, incredible men and women.

And with that, I will yield to my colleague from South Carolina.

Mr. GRAHAM. Thank you very much, and thank you for your service and to everybody that served.

Next week is Thanksgiving. We are all going to go home here in a little bit and enjoy our families. God willing, we make it home safe. I mean that for everybody—Coach, everybody. There are a lot of people who won't be with their families next week because they are in some place doing things that are very difficult, risking their lives. This is where I am here tonight.

How do you right wrongs? You don't create another wrong. I want to right the wrong of having abortion paid for by public taxpayer dollars from the defense coffers that I think not only violates the Hyde amendments, it is just bad policy.

Count me in, Coach. I am with you on that, Mike. I am with you on that. You say it is illegal. I tend to agree with you. Go to court.

One way you right a wrong in America if you think the law is broken, you actually bring a lawsuit. I think we found a way—talking to Jay Sekulow—to bring a lawsuit challenging the Defense policy of President Biden using taxpayer dollars to pay for transportation costs from DOD funds to perform abortions. I think that is in violation of the Hyde amendment. The good news is I believe the Speaker of the House has standing to bring the lawsuit.

Generally speaking, in America, when you get in a legal dispute, you go to court. The DOD general counsel has a memo that it doesn't violate the Hyde amendment. I think they are wrong, but we are not a court of law here. There is a court of law available to resolve this dispute, and I would encourage us to seek that remedy.

Another remedy is to try to find a compromise between the House version and the Senate version of the NDAA. The House strips the policy; the Senate—because they are controlled by Democrats—we have the policy, and we will try to work out some way to reconcile that through the legislative process. That is one way to fix this problem.

What we have chosen to do—and every Senator has a lot of power. That is what makes the Senate different than the House. I have served in both bodies. With power comes responsibility. The wrong we are creating here is to put our military at risk at a time of great need.

If you do not believe these holds are having an effect on the military, I don't question your sincerity; I question your judgment. If you ask anybody out in the field right now—there is one flag officer for the whole continent of Africa. This is like a car wreck on I–95. It keeps backing up. Last time we were talking, there were 300. We are up to 450. This is affecting the ability of the Nation to defend itself.

I will not tolerate being told something I know is wrong. The policy is wrong, but holding these officers who had nothing to do with this is wrong. They deserve better. They have done nothing to get us here in this spot. We have got a political difference between the Department of Defense and the Senate and the House, and the courtroom is available to resolve this. And I just ask my good friend from Alabama—I don't doubt your sincerity—but if this continues, this is one of the worst self-inflicted wounds I have seen in 20 years.

We pulled out of Afghanistan; that was a self-inflicted wound. We had a chance to deter Russia, and we chose not to by having pre-invasion sanctions; that was a self-inflicted wound done by the Biden administration. We have a broken border; that is self-inflicted. We will challenge all of those self-inflicted wounds. And as Republicans, it will be easy. What is hard is to challenge people of your own party at times.

When it comes to the military, I lay the party label down because I have seen what it takes to defend this Nation up close and personal.

It means you miss birthdays. You miss graduations. You miss babies born, and you lose your life. That is what it means to serve. And all the people, the 450 people, if you have got an individual problem with one of these folks, I will support your right to object, and we will hear your side of the story. But I don't believe that all 450 people are woke. So here is what I would say about the 450 people.

They have dedicated their adult lives to serving this country. They have given every ounce that they could give to get to where they are at to be promoted.

Do you know how hard it is to become a sergeant major in the enlisted corps? It is 1 percent of the enlisted force.

Do you know how hard it is to become a general officer, because you are competing with some of the best people on the planet? For every one that gets promoted, there are 10 that could be promoted or would do great in positions of responsibility.

We are taking the military and throwing it in the ditch in terms of command structure. There are people filling jobs today that are waiting to go to their next assignment, and they can't get there because they can't get promoted. They are paying two house payments, not one. Their children don't know what school they are going to go to. They deserve better than this.

This is my promise. I will work with Senator TUBERVILLE and Senator LEE and anybody else and everybody else to find a solution that is acceptable to them to get us back on track and talk about the issues I just discussed. But I promise you this, this will be the last holiday this happens. If it takes me to vote to break loose these folks, I will.

I am not going to talk about me being pro-life. Just look at what I have done. To my pro-life friends, you are not advancing this cause. You are hurting this cause if the average American believe that the reason these people are getting blocked from promotion is because of some policy choice they didn't make. It is not fair to have people in uniform, who have to follow their civilian leadership, when the fundamental precept of American democracy is civilian control of the military—they have no choice. Don't punish them because in our system the civilians make the decisions.

Let's punish the civilians who make these choices. There are plenty of people we can hold and should hold. There are plenty of things we can do to fight to right this wrong. We can go to court. We can insist on change to the NDAA process. But this is not righting the wrong. This is creating another wrong. This is putting our Nation at risk.

And I would just say this. I have been here for 20 years now. I have never seen the world on fire like this. The only reason that an American soldier hasn't been killed in Iraq and Syria because of drone attacks by a Shi'ite militia controlled by Iran is they had a dud. They were just lucky as hell.

And what is going on in Israel, that could spread like wildfire. We could be in a shooting war with Iran tomorrow. So we need our best team on the field, and the best players we have are being blocked from serving. This needs to come to an end for the national security of this Nation.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. YOUNG. Mr. President, we are back here again on the floor of the U.S. Senate. It is early in the morning. Why are we down here?

We are down here to keep faith with those officers in the military, members of their families, and those who will follow them—that when members of our military spend their entire professional lives building up experiences—leadership experiences, experiences in battle—obtaining multiple degrees, making countless sacrifices back home, that their careers won't be interrupted by politics that they have got nothing at all to do with.

Let me go through five areas: first, areas of agreement with my good friend—and he is my good friend, Senator TUBERVILLE. I sit right next to

him, and I have a lot of respect for Senator TUBERVILLE. He and I share agreement on pro-life principles. We are both, in every respect—our policies, our convictions, our public statements, our past history—strongly pro-life. I don't think anyone questions that.

We also believe that the President's actions as it relates to these policies—the ones that he and I find objectionable—to transport our servicemembers out of State to obtain abortions using taxpayer money is patently illegal. We think it should be challenged.

Second point: We do have disagreements on this, but they are tactical disagreements, not grounded in principle—tactical disagreements that we are trying to find alternatives to. The reason I don't think this current approach is even constructive is because, as many of my colleagues have already stated, it punishes those brave servicemembers who didn't develop the policy and can't change it, and that, therefore, breeds a lot of frustration and even cynicism about our elected officials.

Fourth, this is a dangerous time, something I underscored last time I was down here to talk about this. It is a time of war. The United States blessedly is not involved in that war actively. We don't have boots on the ground, but we have been actively resourcing our friends and partners. It is a dangerous and precarious time for our friends. God forbid, some sort of escalation occurs. We don't want to get pulled into that. We have a porous southern border. We need our best team on the field.

And the last point I really want to emphasize tonight is that this is personal to me. This is personal to this U.S. Senator. I proudly represent the people of Indiana in this institution, but I have a history serving in other areas, serving with other individuals.

I proudly graduated from the U.S. Naval Academy in 1995, and, this evening, I will be calling to the floor from the Executive Calendar the names of seven individuals who have been nominated for the rank of rear admiral (lower half).

They were classmates of mine. Our class is really proud of these individuals. I think there is broad acknowledgment that they have earned this opportunity to lead at the highest level in the best military that ever was, and I want to do my part to give them that opportunity. I am asking Senator TUBERVILLE to do his part.

''Non sibi sed patriae.'' It is the motto of the class of 1995. ''Not self, but country.'' ''Non sibi sed patriae.''

So I am asking an exception to be made for my classmates here, these seven individuals and seven patriots of whom I am quite proud.

So, Mr. President, with that in mind, I call to the floor Executive Calendar No. 104, CAPT Kurtis A. Mole, to the grade of Rear Admiral (lower half).

Captain Mole enlisted in the Navy in 1988, becoming a cryptologic technician and attending the prestigious Defense Language Institute, or DLI, in Monterey. Captain Mole went on to attend the Naval Academy, earning a commission in 1995 as a surface warfare officer.

After his redesignation as a cryptologic warfare officer in 2000, he went on to serve in many positions, including the senior cryptologist for the USS Kittyhawk Strike Group, the information officer for the commander of the U.S. Seventh Fleet, the information warfare commander for USS Ronald Reagan Strike Group, and the commanding officer of NSA/CSS Hawaii.

Captain Mole has been deployed multiple times to the Arabian Gulf and the Western Pacific—an amazing career.

And we can confirm this nomination by voice vote right now.

And, therefore, I ask unanimous consent that the Senate proceed to executive session for the consideration of the following nomination: CAPT Kurtis A. Mole to be Rear Admiral (lower half) in the U.S. Navy, under Calendar No. 104; that the Senate vote on the nomination without intervening action or debate; that if confirmed, the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Is there objection?

The Senator from Utah.

Mr. LEE. Mr. President, reserving the right to object, I have nothing but warm feelings, respect, and gratitude for the noble service that my colleagues from Alaska and Iowa and South Carolina and Indiana have demonstrated in their loyalty to their country, serving in their respective branches in the U.S. military, and nothing but respect for the service that they have dedicated to the United States as U.S. Senators.

I have nothing but respect for the brave men and women who have for two and a half centuries donned the uniform in defense of their fellow beings so that they might live in comfort and peace, while they offer up their last full measure of devotion, day after day.

I have nothing but respect for what they are trying to do in the sense that I know that they want the military to be all that it needs to be in order to protect the American people.

I certainly do share the concern that they express. But to the extent we ever put our armed services personnel in jeopardy because of political disputes, that is not ideal. We don't want to ever sacrifice military readiness because of a political battle, and it is because of that, and not in spite of it, that I am here tonight.

I want to be clear. The particular strategy deployed here is not mine. It is that of a dear friend and colleague who is here with me tonight. It is not my strategy. It is his. And it is because it is his that I am here to defend him in that, notwithstanding the fact that it is not the particular tactic that I would have chosen. He has chosen a tactic that is legitimate and that he has every right to deploy under the rules of the Senate—rules that go back nearly two and a half centuries in order to protect the individual rights of each Senator.

These have deep meaning under our constitutional system. In the U.S. Senate, we operate differently than they do in the House.

First of all, we have this role. In the words of the minority leader, we are in the personnel business, in addition to being in the business of passing legislation. Being in the personnel business means that we have got to review people as they come up for Senate confirmation.

We are also different in that every State is represented equally. In fact, the only change that you cannot constitutionally make to the Constitution by means of a constitutional amendment is that principle. You cannot amend the Constitution to alter the principle of equal representation among the States. And it is that very principle that is reflected in these Senate rules and always has been. Why? Because it is important to make sure that every State does have full representation—that one isn't represented more than another.

The people of Alabama have elected my friend and colleague, the senior Senator from Alabama, to represent them. That is why they have these rights. That is why they are important to defend.

So notwithstanding the fact that any of us might have chosen a different tactic or different strategy to go about this, this is his right, and it is a right that I will defend to my last breath for the simple reason that it is his right to do it, and he is right to do it.

Let me explain what I mean by that.

The reason we are even here having this discussion is because we have some individuals who serve in the Pentagon, in the Department of Defense, who have lost sight of which is the branch of government in which they serve. We want them to be able, ready, willing at a moment's notice to do everything they need to do in order to defend this great Nation—the greatest civilization the world has ever known. To that end, their job is to serve in an executive capacity, not in a legislative capacity. These are not mere abstractions; these are fundamental, bedrock principles of our system of government.

Two independent provisions of the Constitution make this clear.

Article I, section I, clause 1—the very first operative provision of the entire Constitution—says that all legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and a House of Representatives.

Article I, section VII of the Constitution makes this point doubly clear: that you cannot, may not, will not, must not ever pass a law, change a law that is a Federal law in our system unless you have a few things happen. You

have to have passage in the House and passage in the Senate. Most of the time, it doesn't matter in which order; it just has to be the same legislative text. That text must then be transmitted to the President—or presented, as we call it—for signature, veto, or acquiescence. If the President signs it or acquiesces, it becomes law. If the President vetoes it, it is returned to our respective Chambers, and it will not become law unless two-thirds of the Members of both Houses of Congress choose to overturn that veto.

Here is why this matters: We have had in place since 1984 a set of laws—laws that had been amended in 1996 and then again in 2003—that today are codified in 10 U.S.C., section 1093. Those laws make clear that you cannot use Department of Defense funds or Department of Defense facilities or property for abortions. You cannot do that. You cannot do that in the absence of rape, incest, or when the life of the mother is in jeopardy unless the abortion happens.

This, in turn, reflects a very simple and very longlasting truth among the American people, which is the American people come at the abortion issue from a wide variety of perspectives. There are some who believe that life begins at conception and that anything from that moment forward cannot be justified. There are others who believe that, until the baby is actually born and takes its first breath, the baby has no legally cognizable, protectable rights. There are some who would take that even further. I find it difficult to accept that some feel that way, but some really do.

Even though Americans find themselves at very different positions along this ideological spectrum specifically related to the issue of abortion, there is one point that unites Americans overwhelmingly and I mean to the tune of three out of four. Something in the range of about 75 percent of Americans agree on one thing—one thing—when it comes to abortion: You should not, must not ever use Federal taxpayer funds for abortion.

Why? Well, pro-life Americans, I think, find this explanation obvious. They don't like abortion anyway, so they don't want government funding. But it appears that about half the people who are not pro-life, who believe in some policies that recognize that somebody ought to have the ability to get an abortion—about half of them, it turns out, believe that we still shouldn't use Federal funds to do that because a lot of Americans are uncomfortable with that, and it is with good reason.

These policies have been around for a really long time and with good reason. Even though overall preferences, strategies, beliefs, public opinions about abortion have changed from time to time, this one has remained overwhelmingly against the use of public funds.

So it was surprising and alarming to my friend Senator TUBERVILLE when, about a year ago, he started hearing rumors—rumors to the effect that the Pentagon would begin using Federal funds to facilitate abortions. He went and did as any faithful member of the Senate Armed Services Committee would: He met with Secretary of Defense Lloyd Austin, and he said: Look, I don't know whether these rumors are true, but if they are true, I find them alarming, and if they turn out to be true, I will have no choice as a member of the Senate Armed Services Committee but to make sure that there are consequences to you if you take this lawless act.

He had good reason to point this out. Look, the only reason for that policy, the only fathomable reason, is to circumvent the plain purpose, intent, effect of 10 U.S.C., section 1093. That is the only reason it is there, and they have written it ever so craftily so as to be able to have a colorable argument. I think it is an argument that flies in the face of the stated purpose, intent, effect of this Federal statute, 10 U.S.C., section 1093. It is so that they could argue: Well, we are not using it to perform the abortion; we are just using it to fly people to get the abortion, and then we are using it to pay for 3 weeks of paid leave time for anyone who has gone to get the abortion. We are going to pay their travel, their room and board, and everything else. We will pay for everything else around the abortion, but because we are not paying for the abortion itself, we are in the clear.

Now, Senator TUBERVILLE recognized something very important: that the sole purpose of this policy would be to circumvent Federal law and to make it difficult to impossible to challenge it in a court of law. I will get back to that in a moment. So he did something right then and there—something that, whether you agree with the tactic used or not, you have to find admirable. He has taken the bull by the horns. He utilized the resources at his disposal, which is what any Division I champion football coach would do.

He did it, and he said: OK. If you do this, that is fine. I suppose—well, it is not fine, but, you know, it is your prerogative to do that. But if you do that, I am going to exercise my prerogatives as a Senator, and my prerogatives as a Senator are such that I can require you to take the long way, the long road, the long and more difficult path instead of the shorter path that we nearly always use when we are confirming flag officer military personnel—that is, generals and admirals as well as political appointees—within the Department of Defense.

Now, let's understand something about a ''hold.'' A ''hold'' is not an inexorable block. It is not damning these people to Senate confirmation hell. It doesn't have that power. That is above his pay grade—all of ours. What he is doing is saying: There is the fast path, and there is the slow path. We always use the fast path, but that requires the acquiescence, the agreement, the unanimous consent of all 100 of us. If you don't do that, I, Senator TUBERVILLE, will make you take the slow path.

Secretary Austin is a decorated war hero. Secretary Austin has been around for a long time. He knows the Senate. He knows the Pentagon well. He knew the risks. He chose to play chicken. He chose to look a U.S. Senator in the eye and say: Thank you. I will take that under advisement.

And, in a cowardly moment, he decided to arrogate to himself power that does not belong to him because the Constitution of the United States doesn't give it to him because you can't legislate from the E-ring of the Pentagon. No matter how strongly he feels, no matter how compelling his urge to facilitate the performance of abortion using Federal funds contrary to public opinion, contrary to Federal law, he does not have that power. Shame on him. It is to his everlasting shame that he would arrogate to himself that power and then have the audacity to blame Senator TUBERVILLE for the slowdown that he himself knowingly, willfully, shamefully created.

So we now get back to this point that is impacting military readiness, that is creating an inconvenience for the flag officers who have been nominated. We are hearing now that it is even affecting people at a level below the flag officers. Now, that is curious because Senator TUBERVILLE has never imposed holds—none of these holds have applied with regard to anybody below a flag officer level—general, admiral, one star, two star, three star, four star, or political appointee DOD-wide. Never. They haven't. So I really don't know where that argument is coming from. Perhaps they are saying it has a spillover effect downstream. Maybe that is the case. If that is the case, then I hope they will be clear in making that argument because otherwise that argument is just false; it is just not true. In any event, he is not stopping them. He is not stopping one of them. He is saying: You just have to take the slow path.

So let's be clear here. There are exactly two ways—two ways—that, regardless of Senator TUBERVILLE's holds, regardless of whether he ever budges an inch, we can take care of this. Approach 1 could happen tonight. I guess it is technically morning. What is it? It is 12:56 or so a.m., so we will say this morning.

Right now, President Biden, if you are watching TV, pay attention. I am going to give you a really easy recipe to follow. You can do this even at 1 a.m. President Biden, if you are not awake, you really should be watching this because this is compelling television.

If you are staffing President Biden tonight, you might go wake him up. I think he will really enjoy this. I think he will enjoy it a lot. It is much easier to do than riding a bike, and you are not going to fall over while doing it.

All you have to do is suspend your Godless, lawless abortion travel policy.

Just suspend it right now. If this is affecting military readiness, so be it. End it. End it tonight. You have a duty to do that.

Lloyd Austin, you can do it, too. Suspend your abortion travel policy.

Now, look, I know you guys feel really passionately about abortion. I know that for whatever reason, you have lost your freaking minds ever since that fateful day in June of 2022 when the Supreme Court of the United States ended a nearly half-century-long judicial hegemony over the issue of abortion. It ended that because, well, it turns out the Constitution doesn't say anything about abortion, and by saying nothing about abortion, it leaves the issue of abortion to elected lawmakers, not to nine lawyers dressed in robes. Most of the time, that means they leave the issue of abortion to State lawmakers, not Federal ones, because most of the time, it is not our role anyway.

I know, President Biden and Secretary Austin, you have been really upset about that. Why? Because, well, for a long time, the Supreme Court of the United States on this issue that is so important to you—why, I will never understand, but I understand that you are mad because the Supreme Court, for that long period of time, was acting as your superlegislature that was willing to do your bidding and that of your party's. Your infanticidal ambitions were facilitated by this superlegislature across the street.

The only problem is, they didn't have any authority to do that—none. It cannot be found. So when they abandoned it, the day they abandoned it, President Biden announced all sorts of ambitious, whole-of-government approaches to effectively nullify a ruling of the Supreme Court of the United States—a ruling of the Supreme Court of the United States that is legally, constitutionally unimpeachable.

From that moment forward, you declared your own little jihad on the Dobbs ruling and on the Supreme Court. You have been trying to delegitimize Justice Alito, Justice Thomas, Justice Barrett, Chief Justice Roberts, Justice Kavanaugh, and Justice Gorsuch ever since then. You have threatened, through members of your party and through your appointment of this silly Commission you created, to pack the Supreme Court of the United States notwithstanding the fact that you, President Biden, stood on this very Senate floor decades ago and said correctly that it was a boneheaded idea when Franklin D. Roosevelt last threatened to pack the Supreme Court of the United States in 1937. It is a boneheaded idea today. You have been doing that.

Meanwhile, you try to do everything you can to make the lives of those Justices hell.

You have completely ignored 18 U.S.C., section 1507—a law that has been violated again and again and again outside the homes of the six Supreme Court Justices who had the courage and who had the appropriate jurisprudential temperament to recognize that abortion is not made theirs anywhere in the Constitution.

You have ignored the fact that people come to their homes to protest, that they come to the homes of these Justices to protest against them, disturbing them on vacation and when they are at home with their families; ignored the fact that people are showing up to the homes of these Justices not just to disturb their peace but to send a signal loudly and clearly, unmistakably, over and over and over again, that says: We know where you sleep. We know where your children lay their heads at night.

Yet, President Biden, you do nothing to enforce that.

Your Attorney General has instructed Federal law enforcement personnel, effectively, to stand down, ignore these violations. Shame on you, President Biden.

Look, I get that. Oh, that is in your little empire. You are the head of Article II. You are the head of the executive branch. If you don't want to enforce the law, we can't make you, just like we can't make you enforce the border as 8 million illegal immigrants have come across the border, carrying with them enough fentanyl to kill every man, woman, and child in America. And many of them have died, to the tune of hundreds of thousands. We can't make you enforce the law because you are the head of the executive branch. The head of the executive branch enforces the law—or it is supposed to. We can't make you do that.

But do you know what we can do? We can defend our own prerogative to make the law. Sure, once the law is made, you get to enforce it or decide not to. You shouldn't—and shame on you for not—but you get to decide that. You cannot make the law. You cannot rewrite the law. And shame on you, President Biden, for blaming this man. This man who is just trying to stand up for the law and for the unborn, you are blaming him for our supposed lack of military readiness.

I can't believe anybody buys this crap—I really can't—let alone anyone from the same party as Senator TUBERVILLE.

We have all been elected on pro-life stances. Now, I understand, not everybody is going to share the same strategy. Not every one of us would choose this same approach. I didn't. But you are blaming the wrong guy.

There is an empty chair here—two of them, in fact; two empty chairs occupied by two executive branch individuals: Secretary Lloyd Austin and President Joe Biden, who could end this tonight, but they refuse to do so. That is avenue No. 1 for which we could end this.

Avenue No. 2, we could do as Senator TUBERVILLE told Secretary Austin we would do from the very outset; that is, we could confirm them the slow way. We went 40 consecutive days and nights—kind of Biblical, really, if you think about it—without a single vote in August. We are about to go 10 or 11 more consecutive days and nights without a single vote.

We have gone days even when we were in session, where we will cast maybe one or two votes, at the most, and sometimes none. There are ways in which you can tee these people up.

You know the rules, Senator SCHUMER. You know how to call these people up. You know how to tee these up for a vote. Yet we are down here tonight—all of us Republicans.

When we talk about military readiness, why on Earth are we not aiming our remarks at President Biden or at Secretary Austin? Why on Earth are we not directing them at Senator SCHUMER? They all have the ability to end this. With SCHUMER, it would take longer. It would require more of an investment of time on our part, sure. Why are we not directing our arrows at them? Why are they going to TUBERVILLE instead? I don't get it.

As to the suggestion made by one of my colleagues—my friend, distinguished colleague, the senior Senator from South Carolina—that this ought to be resolved in court; that courts of law are where we argue legal disputes; that most nearly all legal disputes should be resolved there, that is just wrong. That is just dead wrong.

The fact is, as any lawyer, any member of the bar, any officer of the court knows, most legal disputes never make it to court. There are a lot of reasons for this. Some of them involve expensive litigation. Some of them involve jurisprudential standards that don't always permit a legal challenge to be brought. Among other things, you have to establish what is called Article III standing. You have got to show an injury, in fact, squarely traceable to the conduct of the defendant that is capable of being redressed by a court of competent jurisdiction.

Many cases, many disputes arise in a context in which it would be difficult, if not impossible, to find someone with Article III standing who is even allowed to challenge these things in Federal court.

I, respectfully, submit that it is like a needle in a haystack, in a haystack on a distant planet, a really, really difficult case in which to even imagine, even fathom someone with Article III standing who could do it.

Senator GRAHAM referred to some legal experts, legal scholars whom I respect and admire, who have been looking into this. I have looked at their written work product, and it is excellent, but even they acknowledged it is not at all clear you could even find anyone with standing.

This is exactly the kind of case that needs to be argued, that needs to be settled not in the courts of law because it can't; it must be resolved here, here in the branch of government that is charged with making the law and that is also charged with overseeing the

branches of government that execute, implement, and enforce the law—the executive branch. That is our job. This is where it has to be done.

So, look, if you want to give the farm away, if you want to say we are just going to leave it alone, that is fine. But let's not kid ourselves. No court is coming to the rescue. It is not going to work. You are not going to find anyone with standing, I can almost guarantee you. And even if you can find somebody with standing, they have crafted this thing so deliberately, so maliciously, so carefully as to make it nearly impossible for anyone who even could establish standing—which they can't—to succeed on the merits because at the end of the day, they will look at them, and they will say: Gosh, shucks, we didn't do that. We didn't perform any abortions. All we did is we just, you know, drove the people to the State or flew the people to the State where they are going to get the abortion, and then we paid for their motel, their room, board, lodging, gave them 3 weeks of per diem in order to do it. No, we didn't do any of that.

So by a rigid, textual analysis, which probably would be the one that would prevail in a court of law, you would lose.

Even if you could find somebody with Article III standing—which you can't; you are not going to find that—what remedy is there?

If we are we are going to allow the laws that our branch of government has made, if we are going to allow that law or the law in general to be an ask, then, fine, let it go. But let's not kid ourselves. This isn't getting fixed in a court of law. We have got the remedy here.

Whether you agree with Senator TUBERVILLE's initial decision to do it this way or not, don't spit on me and tell me it is raining. Don't walk in here and tell me there is another solution. Don't walk in here and tell me that courts of law are where all legal disputes have to be resolved when you know darn well a lot of them can't, and this one sure as heck won't be.

It saddens me deeply that this many brave men and women have been delayed. It troubles me deeply to consider the many families whose lives have been disrupted by this. But I respectfully submit, with all the passion I am capable of communicating at 1:10 in the morning, at a bare minimum, you are wrong to just blame him. I don't think you should be blaming him at all.

Secretary Austin and President Biden, you set in motion a sequence of events that you knew darn well would culminate in this very thing. You knew darn well that you would use this as an opportunity for demagoguery. That is not cool.

I object.

The PRESIDING OFFICER (Mr. WELCH). The objection is heard.

The Senator from Indiana.

Mr. YOUNG. Mr. President, I do hope the President of the United States and Secretary Austin heed the entreaties of my esteemed colleague representing the State of Utah.

With that, I call to the floor Executive Calendar No. 105, CAPT Thomas J. Dickinson to the grade of Rear Admiral.

Captain Dickinson was also a classmate of mine at the U.S. Naval Academy. He was commissioned in 1995 and became a surface warfare officer.

He has held numerous positions, most with a high level of expertise. These include his time as a weapons officer and combat systems officer aboard the USS *The Sullivans* and commanding officer aboard the USS *Barry*. Most notably, during his command tour of the USS *Barry*, he completed a 9-month ballistic missile defense deployment in the eastern Mediterranean Sea and earned the Battle Effectiveness Award, being recognized for its crew's high levels of sustained proficiency and readiness.

Captain Dickinson is currently serving as the commander of the Naval Surface Warfare Center and the Naval Undersea Warfare Center in an acting capacity until his promotion is processed.

We can confirm this nomination by voice vote tonight, right now. Therefore, I ask unanimous consent that the Senate proceed to executive session for the consideration of the following nomination: CAPT Thomas J. Dickinson to be Rear Admiral (lower half) in the U.S. Navy under Calendar No. 105; that the Senate vote on the nomination without intervening action or debate; that, if confirmed, the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Is there objection?

The Senator from Utah.

Mr. LEE. Mr. President, reserving the right to object, we live in a great country. It is a country that has thrived precisely because we have sought, since the moment of our founding, to live under the rule of law; that when we make a law, we do our best to follow it.

It doesn't always work that smoothly. I know the process of making law and enforcing law and interpreting the law can be messy. People have strong opinions about what the law ought to be, how it ought to be enforced, what the law means. But, you know, we have been at our best when we accept the fundamental premise that although the task may be difficult and although people might reach different conclusions regarding what the law should be, how the law ought to be enforced, and how it ought to be interpreted, that there is a right answer.

We might not all agree on what the right answer is, but if we agree that there is a right answer and it is our obligation to find it and then defend it once we have found it, we are going to be better off.

One of the things that differentiated our form of government from that of our mother country is the twin set of structural protections in the Constitution that separate and divide power. Our Founding Fathers understood, through sad experience, that it is the nature and disposition of almost all men and women everywhere, as soon as they get a little authority, a little power, that they will begin to exercise what we call unrighteous dominion; that is, they have a tendency to abuse their power. They have a tendency to become tyrants, petty or grand. To that end, they understood something about human nature. They understood what Madison described in Federalist No. 51; that if men were angels, we would have no need of government. If we had access to angels to govern us, we wouldn't need rules, we wouldn't need constraints around government power. But, alas, we are not angels. We don't have access to angels. Angels are not to be found among us, certainly not in the E-Ring of the Pentagon, certainly not in the White House today. They are no angels, neither are we. But we have rules.

To that end, our Founding Fathers sought to subdivide power, to slice it and dice it. In short, they separated out power along two axes, establishing these two fundamental structural protections that really have helped foster the development of the greatest civilization the world has ever known.

The first of these structural protections operates on a vertical axis. We call that Federalism. It says that most power in our system of government doesn't belong in Washington, DC. It doesn't belong at the national level. It belongs at the State and local level where most of the power is reserved.

It says that only a few powers designated as Federal, as national, by the Constitution will be lodged within the Federal Government. Among those powers, just a few basic national authorities: the power to regulate trade or commerce between the States, with foreign nations, and with the Indian Tribes; the power to come up with a uniform system of weights and measures, a uniform system of immigration and nationality laws; the power to develop courts inferior to the Supreme Court of the United States, a system of bankruptcy laws and bankruptcy courts; the power to declare war, to establish an army and a navy and to regulate the militia, what we today call the National Guard.

And there is my favorite power, too often referred to as the power to grant letters of marque and reprisal. Marque, in this context, is spelled m-a-r-q-u-e. The letter of marque and reprisal, to put it succinctly, is basically a hall pass issued by Congress in the name of the United States that allows the person possessing it to engage in state-sponsored acts of piracy on the high seas. In short, you get to be a pirate.

Each of these powers are relatively minor. All of them together are still relatively minor compared to the bulk of the power reserved to the State and

local governments around the country. To the extent that we have respected those limits, those distinctions between State and Federal power, we have benefited materially as a country.

Tragically, over the last 86 years, we have deviated from that, and that has caused problems. It has spilled over and helped erode not just the vertical protection we call Federalism but also the horizontal protection we call separation of powers. And I will turn to that now.

Under the principle of separation of powers within the Federal Government, the Founding Fathers set up three distinct branches. One branch, the legislative branch headed by Congress, consisting of a House and Senate, would make the laws. Subdivided between these two branches, these two Chambers of the legislative branch—because they knew that it would be more difficult to abuse the power if you split it up more, so they did—another branch, the executive branch, headed by an elected President, whose job it is to enforce the laws—or it is, at least, supposed to be; and a third branch headed by the Supreme Court and including such inferior courts as Congress might choose to ordain and establish from time to time, whose job it is to interpret the laws.

Now, between these three powers—let's face it—they are not really equal branches. They are coordinate branches, but they are not equal in their power. By far, the most dangerous branch is the branch that we inhabit and is the branch in which we serve, in which we find ourselves this fine evening, because the power to make law is the most dangerous power in government. And it is for that very reason, Mr. President, the Founding Fathers wouldn't entrust that to anyone other than the branch of government most accountable to the people at the most regular intervals—because it is dangerous.

The other two branches, if you think about it, really exercise powers that are derivative of ours in one way or the other. The laws that the executive enforces must first be passed by us. The laws the judicial branch interprets must first be passed by us. That is why it is so important that we safeguard this, that we make sure that no one else from outside the legislative branch of government seizes that power. Why? Because they are not accountable to the people at the most regular intervals.

You can fire every Member of the House of Representatives every 2 years. Their voters have the chance to do that with all of them every 2 years. From the Speaker of the House to the most junior Member, they can all be fired by their constituents every 2 years.

A third of us in this Chamber can be fired every 2 years. My constituents opted not to do that last year. I had the chance, and they decided to keep me for another 6 years, and I am grateful for that.

But we are all accountable. That same accountability does not apply in the executive branch. It sure as heck doesn't apply in the judicial branch. It is one of many reasons why you can't legislate from the E-Ring of the Pentagon. You cannot make a new law, you cannot change existing law from the executive branch.

Now, I know. I know. I know. We have gotten lazy. We have gotten lazy because since April 12, 1937, a day which should live in infamy in American history but a day that is seldom even mentioned, much less studied in grade school, intermediate school, high school, college, even most law schools, is the day the Supreme Court messed it all up, really leading to the erosion of both the vertical protection we call Federalism and the horizontal protection we call separation of powers.

April 12, 1937—that was the day when the Supreme Court of the United States, by a vote of 5 to 4 in a case called National Labor Relations Board v. Jones & Laughlin Steel Corporation, reinterpreted one provision of the Constitution—article I, section 8, clause 3—the Commerce Clause, to mean something different, something different than it had ever meant. Ever. It had always meant, prior to that time, that Congress had the power to regulate a couple of things: No. 1, interstate commercial transactions.

Person A lives in Virginia, wants to sell tobacco to person B living in Maryland. That interstate commercial transaction can't adequately be covered by the laws of either Virginia or Maryland, so Federal law has the ability to cover it—interstate commercial transactions. Secondly, channels or instrumentalities of interstate commerce: interstate airways, airwaves, waterways, and so forth, because, there again, the laws of no State are sufficient to cover that interstate event—something carrying something else or someone else across interstate lines.

Prior to that time, that is all the Commerce Clause meant. On April 12, 1937, the Supreme Court amended the Constitution, amended it without going through the article V amendment process, a process that is deliberately difficult. Why? Well, because that is the whole darn point of having a Constitution, is to make it difficult to change. Some of our laws must not be easy to change.

So the Supreme Court amended the Constitution, gave themselves power that was not theirs to redefine it, to include any power that, when measured in the aggregate, though, carried out intrastate—not part of an interstate commercial transaction, not part of a channel or instrumentality of interstate commerce, in the aggregate, had a substantial effect on interstate commerce.

What does that mean? Well, that is all legalese for Congress can regulate just about anything it wants. If it can dream it, it can regulate it, as long as it uses the right words.

Since April 12, 1937, the Supreme Court has invalidated exactly two laws—only two laws—as outside Congress's Commerce Clause power—one involving provisions of the Gun-Free School Zones Act in a 1995 decision called the United States v. Lopez and another case involving a few provisions of the Violence Against Women Act in the year 2000 in a case called United States v. Morris. There is a third case that arguably makes the list but, ultimately, gets cut from that list—NFIB v. Sebelius—which the Supreme Court decided in 2012, concluding that the ObamaCare individual mandate was, in fact, in violation of, in excess of Congress's Commerce Clause authority but then went on to rewrite the same statute—not once, but twice—in order to save it from an otherwise inevitable finding of unconstitutionality. So that one doesn't count.

So because since pretty much everything has been part of our legislative prerogative, Congress has choked on its own power. Members of Congress couldn't handle that much power. Members of Congress didn't want to go to all the work of all that power. So Members of Congress started delegating out the lawmaking powers to other branches of government. In short, we have gotten lazy, we have gotten sloppy; and it has inured to the everlasting detriment of the American people, who find themselves subject to a Byzantine labyrinth of Federal regulations that cost the American economy between $2 and $3 trillion a year to comply with.

Those compliance costs are borne not by big, wealthy, blue-chip corporations or some guy that you imagine wearing a double-breasted suit and a monocle like Mr. Peanut. No; they are borne by hard-working Americans who pay higher prices on goods and services and everything they buy, and they pay for it also with diminished wages, unemployment, and underemployment.

These things are not free, you see. You mess with Federalism, you destroy Federal separation of powers.

Incidentally, you know how this decision was arrived at? Well, Associate Justice Owen Roberts panicked. He got scared because President Franklin D. Roosevelt threatened to pack the Supreme Court of the United States with as many as 15 Justices. Justice Owen Roberts, looking outside the case, looking beyond the law, decided to just rewrite the Constitution rather than run the risk of Court packing. Shameful, really, but it led to where we are now.

I keep in my office two stacks of documents behind my desk. One stack is short. It is a few inches tall. It consists of the laws passed by Congress during the previous year. It is usually a few hundred to a few thousand pages long. It stands about that high. The other stack of documents, during any given year, will come to a mass of about a 13-foot-tall stack. I keep them in three adjacent bookcases. These are in bound

volumes, double-sided, very small print, very thin pages. Last year's Federal Register.

The current year's Federal Register—our current Federal Register, by the end of this year, will have reached about 100,000 pages. These pages contain law—new law, law that, if not complied with, can land you in prison, can get you fined, can get you banned from this or that Federal program. It can deprive you of life, liberty, property just the same as any law passed by Congress, only it is not a law passed by Congress.

It is reminiscent of Federalist No. 62 in which James Madison, rather eerily and with great prescience, warned it will be of little avail to the American people that their laws may be written by men of their own choosing if those laws be so voluminous, complex, and ever-changing that they can't be read and understood by the American people, if they can't know from one day to the next what the law is today and what it will be tomorrow.

Those words still echo in our ears today when we see not only are those laws so voluminous and ever-changing and complex that we can't read and understand the law, know what it means and says from one day to the next; they are not even written by men and women of our own choosing.

That is why it matters, that this document written back in 1787 still matters. We have all sworn an oath to uphold it. And what it means is you can't legislate from the E-Ring of the Pentagon. You can't make a law, you can't change an existing Federal law from the executive branch of government, unless you are the President of the United States and your sole role in lawmaking is signing, vetoing, or acquiescing to a law duly passed by the House and the Senate. You can't make a law; you can't change a law—not from the E-Ring of the Pentagon, not from the Oval Office, not from any quarter of any part of this town or this great land or this entire world outside of this Chamber and the Chamber just down the hall from us. That is why it matters.

So, yeah, this is about life. Yeah, this is also about the military. But we swore an oath to that Constitution. We swore an oath that we will make the law; we will not delegate that law to somebody else; we are not going to let somebody else make the law—especially a law that is destructive of life, liberty, and property, as that is, ultimately, the sole purpose of government: to protect life, liberty, and property.

Quite ironically, the bigger, the more out-of-control, the more unrestrained, the more unaccountable any government becomes, it is inevitably the consequence of that government that it becomes destructive of life, liberty, and property. That is how we got to where we are here, where a branch of government not entitled to make the law has made law and has made law to facilitate the taking of unborn human life.

My colleagues who are here tonight, whom I love and respect, are blaming the wrong culprit. It is not TOMMY TUBERVILLE. It is Joe Biden, Lloyd Austin, and CHUCK SCHUMER. Let's keep that blame where it belongs. Let's not fool ourselves into thinking that this can be remedied in court. It can't. It won't. We all know that.

We are going to stand up for the unborn who cannot speak for themselves. We are going to have to do it. If we are going to prevent somebody else from making law when it is not their prerogative, it has to be us.

Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Indiana.

Mr. YOUNG. Mr. President, there are now tens—tens—of Americans watching us on C–SPAN2, captivated, I know, by the presentation this evening. I think they are perhaps divided. Some may look upon these proceedings and think: What a functional U.S. Senate. Every voice must be heard. Every perspective must be delivered. Every phrase must be uttered.

Others will say, perhaps, it is dysfunction, perhaps there is an effort to obfuscate.

I don't know what they will conclude, but I do know that I intend to continue reading through these brave patriots' class of 1995 U.S. Naval Academy graduates who have been nominated to the grade of Rear Admiral (lower half). And we are very proud of it. And I hope they can be confirmed later this evening.

So I will be proceeding and reading each of their biographies, fused together, indeed, in a strength, without any intervening parliamentary request which might be seized upon for C–SPAN viewership.

Navy CAPT Neil Koprowski to the grade of Rear Admiral. Captain Koprowski has served in the U.S. Navy since receiving his commission in 1995. Did I say it? 1995. He has held numerous operational assignments, including commanding officer post of the USS *San Antonio* and the USS *Kearsarge*. Captain Koprowski currently serves as the commander for U.S. Naval Forces Korea and U.S. Navy Region Korea, a posting that handles the highly competitive regional challenges we face today.

Captain Koprowski has also received many awards in his career, including the Legion of Merit, the Meritorious Service Medal, and the Joint Service Commendation Medal.

CAPT Lincoln M. Reifsteck to the grade of Rear Admiral. Captain Reifsteck has served his country since graduating from the Naval Academy in 1995.

Did I mention he and I were classmates?

He has held numerous assignments, including as the commanding officer of the USS *Hampton*, the division chief of the Nuclear Operations Division for the Joint Staff, and commodore of Submarine Development Squadron 5.

Captain Reifsteck currently serves as the branch head of the Undersea Warfare Division in the Office of the Chief of Naval Operations.

CAPT Frank A. Rhodes IV has also been nominated to the grade of Rear Admiral. CAPT Frank Rhodes has been serving in the Navy since 1995. He graduated from the Naval Academy. We were classmates. He served in numerous positions, including commanding officer of Strike Fighter Squadron 81 and the air wing commander of Carrier Air Wing 3.

Captain Rhodes has been serving in the Office of the Chief of Naval Operations for over 4 years, where he has been the Carrier Strike Aircraft and Weapons branch head and the executive assistant to the Chief of Naval Operations.

Then we have CAPT Forrest O. Young, also nominated to the grade of Rear Admiral. Captain Young served in the Navy for almost 30 years. He graduated from the Naval Academy. We were, of course, classmates. And he thereafter became an accomplished fighter pilot. He held operational commands around the world, including time as commander of Strike Fighter Squadron 105, commander of Carrier Air Wing 5, and time as an instructor as a Navy Top Gun.

Captain Young most recently served as director of Aviation Officer Career Management and Distribution Division, Navy Personnel Command.

CAPT Craig T. Mattingly, also nominated to grade of Rear Admiral. Over Captain Mattingly's 28-year career, he has led squadrons on deployments supporting EUCOM, AFRICOM, and CENTCOM, areas of responsibility as commander of multiple task groups.

His major command tour was commander of Patrol and Reconnaissance Wing 11. During his tenure as commodore, CPRW–11 supported global initiatives to include the inaugural INDOPACOM deployments of the MQ–4C Triton Unmanned Aerial System and P–8A Poseidon Advanced Airborne Sensor, as well as the P–3C Littoral Surveillance Radar System.

Mattingly's most recent assignment was serving as senior military adviser of the Secretary of the Navy. He has accumulated more than 3,900 flight hours in the P–3 Orion and P–8 Poseidon aircraft and served on teams that have received various awards and recognition.

He, too, was a classmate of mine, class of 1995.

And I am most hopeful each of these individuals can, ultimately, be confirmed, as my good friend and respected colleague, with whom I share deep pro-life convictions, Senator TUBERVILLE contemplates a more constructive policy.

We have visited in that regard. He is working hard toward that end. I know he wants to accomplish that.

Having offered that thought, I am going to yield to Senator ERNST of Iowa.

The PRESIDING OFFICER. The Senator from Iowa.

Ms. ERNST. Thank you to my colleague from Indiana. I truly appreciate it.

I will now go through the biographies of the men and women who rightfully deserve to be promoted, to be moved into their next position of authority.

And I am going to start by continuing with MG Heidi J. Hoyle, Calendar No. 48, for the grade of Lieutenant General and deputy chief of staff for the U.S. Army. And I would like to highlight MG Heidi J. Hoyle, who is currently the director of operations for the Office of the Deputy Chief of Staff for Logistics.

Upon her graduation from Virginia in 2004, she was assigned as an instructor in the Department of Systems Engineering at West Point. She served as the 242nd Ordnance Battalion executive officer, with a deployment to Afghanistan and support of Operation Enduring Freedom.

In 2010, she was selected for command of the Special Troops Battalion of the Third Sustainment Brigade in Fort Stewart, GA. And while stationed there, she deployed in support of the Iraq war.

She has distinguished her career, having been awarded the Legion of Merit, folks, not just once, not twice, but three times. She has been awarded the Bronze Star Medal not once but twice.

This is an extraordinary woman. And I will point out that I enjoyed my service very much. I appreciated my time in service. But I also have a daughter who is serving now. And my daughter—to MG Heidi J. Hoyle, General Hoyle, I hope that my daughter is following in your footsteps. My daughter is assigned to the 3rd Sustainment Brigade in Fort Stewart, GA.

So to MG Heidi J. Hoyle, I bring you up this evening. I will not be asking for a live UC this evening because we know that it will be objected to and filibustered, and I think you deserve better than that, General Hoyle. You have given your entire adult life in service to our Nation, under extremely difficult circumstances, and you have been awarded, again, the Legion of Merit three times and the Bronze Star Medal twice.

I am proud to be a staunch advocate of the U.S. Army community and, once again, standing up for valiant individuals who have answered the selfless call to serve.

As more of our servicemembers are under attack by Iran-backed proxies, we must fight for our U.S. Army community and get them in the fight. And that is why I raise voice for MG Heidi J. Hoyle and her promotion to Lieutenant General because she cannot do it herself.

Next, I am going to move on to Col. Terence G. Taylor. I rise today to talk about a few officers within Calendar No. 82, which contains Col. Terence G. Taylor for the grade to Brigadier General. That is a one-star General.

Col. Terence G. Taylor is currently the commander of the 380th Air Expeditionary Wing. Col. Terence G. Taylor is responsible for the wing's Armed Overwatch mission, encompassing intelligence, surveillance, and reconnaissance and command and control reporting center assets.

Colonel Taylor is also responsible for theater security cooperation and agile combat employment, dynamic force employment missions in direct support of the U.S. Air Force's central and the United States central command priorities.

Colonel Taylor earned his commission through the Reserve Officers' Training Corps Program at the University of Virginia in 1997.

Colonel Taylor's prior assignments include serving in the Department of State's Bureau of Counterterrorism, where he was responsible for directing political and operational responses to international terrorism and implementing America's global counterterrorism policies in coordination with numerous government departments and agencies.

Colonel Taylor has numerous degrees, including a master of arts in strategic studies at the Air War College and a master of arts in national security and strategic studies at the American Military University.

And this is why I am stepping forward tonight and not asking for a voice vote but sharing the biography of the admirable service of Col. Terence G. Taylor and his promotion to Brigadier General because as a member of the military, he is apolitical and cannot lobby Members of Congress. So while he has no voice, while Heidi Hoyle has no voice, I am giving them voice tonight.

I am moving on to another admirable individual who is being denied her promotion this evening. Again, I am directing my ire at President Joe Biden and at Secretary Lloyd Austin for the policy that they have put in place for the abortion travel agency plans. It is horrific. It is horrific. Our ire goes to them. But what we see is maybe the plan to reverse that is holding some of these individuals who rightly deserve to be promoted hostage.

So the individual I am addressing right now is COL Sara E. Dudley. She is an officer within Calendar No. 94, which contains a list of Army officers who have been selected for the grade of Brigadier General. Again, a one-star.

Specifically, COL Sara E. Dudley is a vital part of Special Operations Command. Colonel Dudley is a proud West Point graduate who took and embodied the skill sets and leadership tools that she learned there to be a lifelong learner, a lifelong participant in our U.S. military. She earned a Harvard MBA and a Yale University fellowship through the War College.

She has honorably served her country as a warfighter during Iraqi Freedom, where I had served. She also served during Operation Enduring Freedom and, most recently, during her third deployment overseas, in support of the Combined/Joint Forces Land Component Command during Operation Inherent Resolve.

She is a decorated warfighter, distinguished herself with honor, having been awarded for meritorious achievement several times throughout her career. I firmly believe that Colonel Dudley's qualifications, record, and character have earned her this promotion. Again, I am giving voice to her because she has no voice.

The next person I will address is for Rear Admiral (lh) Jeromy B. Williams. He is an officer within Calendar No. 102, which contains a list of Navy officers who have been selected for the grade of Rear Admiral. I will highlight Rear Admiral (lh) Jeromy B. Williams. He is the deputy director for special operations and counterterrorism in the J–3 of the Joint Staff.

Rear Admiral Williams is a native of Las Vegas, NV. And after graduating from the U.S. Naval Academy in 1993 with a degree in aerospace engineering, he immediately reported to seal training and graduated in January of 1994.

His operational assignments include two tours as assistant platoon commander, joint commissioned observer commander, assistant operations officer, platoon commander, troop commander, SEAL team operations officer, and executive officer. Later, he became a squadron commanding officer, then served as deputy major commander, and then as commodore. Most recently, he served as deputy commander, Special Operations Joint Task Force Iraq for Operation Inherent Resolve.

A distinguished graduate of the U.S. Naval War College, Rear Admiral Williams holds a master's in national security and strategic studies. He was further selected by the Chief of Naval Operations as a Navy military fellow, and he served on the Council on Foreign Relations.

So as a 23-year combat veteran and retired lieutenant colonel of our great U.S. Army and as an ardent supporter of our Special Operations community, I am proud to stand up for this valiant officer who has answered the selfless call to service and earned this promotion. I firmly believe that Rear Admiral Williams's qualifications, record, and character make him exceptionally eligible for this promotion. He has no voice on the floor of the U.S. Senate tonight. That is why I am giving him a voice.

The next individual is Brig. Gen. Justin R. Hoffman. I am rising today to talk about a few officers within Calendar No. 110, which contains a list of Air Force officers who have been selected for the grade of Major General. That is a two-star General.

First, I would like to begin with Brig. Gen. Justin R. Hoffman, who is a special assistant to the commander of Air

Force Special Operations Command. This command is the Air Force component of the U.S. Special Operations Command.

General Hoffman was born in Austin, TX, and earned his commission from the U.S. Air Force Academy in 1995. He spent most of his career in Special Operations aviation assignments, deploying extensively.

He is a command-rated pilot, having flown more than 5,500 hours, of which more than 1,800 are combat hours. He has flown the NC–130H and J models for the Commando II, which flies clandestine, low-visibility, infiltration and exfiltration of Special Operations forces, primarily flown at night to reduce visual acquisition and intercept by airborne threats in politically sensitive or hostile territories.

He also has flown the U–28A Draco, which is part of the U.S. Air Force Special Operations Command, and manned airborne intelligence, surveillance, and reconnaissance fleet. While commanding this aircraft, Brigadier General Hoffman supported humanitarian operations, search and rescue missions, and Special Operations missions.

I would also like to note that Brigadier General Hoffman dedicated a portion of his career to this esteemed body here in Congress, having served as the Director of Legislative Affairs for U.S. Special Operations Command.

It is officers like this that I am proud to be a staunch advocate of within the Special Operations community because, right now, folks, the world is on fire, and we need more Special Operations Command officers in the fight, not out of the fight. This is why I give voice tonight to Brig. Gen. Justin R. Hoffman and his promotion to Major General.

You can see, as I am moving through these biographies of these incredible men and women who are being denied their promotion on this very night by individual vote on the floor of the Senate—you can see that they have storied legacies in their contributions to these great United States of America. It is without having these men and women and those who came before them in our great United States of America that we would not have life, liberty, or the pursuit of happiness. Those things cannot be achieved without the men and women who protect our country and its values.

Next, Mr. President, I would like to continue with Calendar No. 110. Again, a list of Air Force officers who have been selected for the grade of Major General. I would like to highlight Brig. Gen. Rebecca J. Sonkiss, who is currently the deputy commander of the Air Force Special Operations Command, the deputy commander of the forces who execute worldwide deployments and assignments to unified combatant commanders, the deputy commander to approximately 20,800 Active-Duty Reserve, Air National Guard, and civilian professionals within the Special Operations community.

This is no slacker, folks. Brigadier General Sonkiss has had an incredible career, starting with her acceptance and subsequent graduation from the U.S. Air Force Academy in 1994. She commanded the 15th Airlift Squadron through two deployments, was the vice commander of the 455th Air Expeditionary Wing at Bagram Airfield in Afghanistan, and commanded the 62nd Airlift Wing at Joint Base Lewis-McChord and the 89th Airlift Wing at Joint Base Andrews.

She is a command pilot with more than 4,400 hours, including 1,377 combat hours in nine different Air Force-manned and remotely piloted aircraft, including the EC–130 Compass Call, which disrupts enemy command-and-control communication systems, and the RQ–1 Predator, which is an intelligence collection asset, capable of offensive air support against enemy targets.

She has distinguished her career, having been awarded the Defense Superior Service Medal, the Legion of Merit, and a Bronze Star. And, again, I am proud to be a staunch advocate of the Special Operations community and, once again, stand up for these valiant individuals who have answered the selfless call to serve.

As more of our servicemembers are under attack by Iran-backed proxies, we must fight for our Special Operations community and, once again, get them into the fight. That is why I am giving voice this evening to Brig. Gen. Rebecca J. Sonkiss and her promotion to Major General.

Again, I am going to say, these biographies are incredible. They are incredible. But that is why many people here on the floor—those that might be in opposition to the individual votes tonight on the floor—they don't want these read. They don't want these biographies read because we are putting the human element out there and showing the United States of America the valiant—the valiant—service of these men and women.

Again, every one of these individuals has given their entire adult life in service to our great United States of America—our great United States of America. We would not have the country we have if we didn't have men and women who were willing to sacrifice everything—everything—for this country.

Mr. President, the next one is Brig. Gen. Claude K. Tudor, Jr. Again, it is under Calendar No. 110, a list of Air Force officers who have been selected for the grade of Major General. Brigadier General Tudor is currently the director of operations in the J–3 for U.S. AFRICOM. As the director of operations, Brigadier General Tudor provides oversight and direction for all operations divisions at AFRICOM, including working with partners to counter transnational threats and malign actors, strengthening security forces, and responding to crises in order to advance U.S. national interests and promote regional security, stability, and prosperity.

Brigadier General Tudor was commissioned through the ROTC Program at Troy State University in Alabama and has spent the majority of his career in Special Operations ground combat assignments, deploying extensively.

Prior to AFRICOM, Brigadier General Tudor served as the commander for the Combined Special Operations Joint Task Force-Levant and chief of staff of Headquarters Pacific Air Forces.

He has several degrees, including a master's in business management from Troy State University, a master's in strategic intelligence from the Joint Military Intelligence College, and a master's in strategic studies from the U.S. Army War College. He has distinguished his career having been awarded the Defense Superior Service Medal, two Legion of Merits, and a Bronze Star.

He has also been the Air Force combat control officer of the year not once, not twice, but three times. We need officers like Brig. Gen. Claude K. Tudor, Jr., to stay in the fight, and I am giving him voice on the floor of the Senate this evening—actually, at 2 in the morning.

Mr. President, again, I am rising today to highlight the career of Maj. Gen. David A. Harris, Jr., U.S. Air Force, who is Calendar No. 186. Major General Harris has been selected for promotion to Lieutenant General—that is a three-star General—and to be the deputy chief of staff for Air Force Futures at Headquarters U.S. Air Force.

Major General Harris is currently the deputy commander of the Ninth Air Force, Air Force Central, and deputy, combined forces air component commander, of the U.S. Central Command in Southwest Asia.

As the deputy commander, he is responsible for the command and control of air operations in a 21-nation area of responsibility, covering Central and Southwest Asia.

He graduated from ROTC and received his commission from the University of Alabama in 1993. He is a master navigator and basic parachutist with more than 2,500 flying hours, having flown in support of Operations Deliberate Force, Allied Force, Enduring Freedom, Iraqi Freedom, Combined Joint Task Force-Horn of Africa, and Inherent Resolve.

He has a bachelor of science in aerospace engineering, a master of military art and science from the School of Advanced Military Studies at Fort Leavenworth, a master's from the National War College, and was a national security fellow at Syracuse University. Major General Harris has commanded the squadron group and wing level. He has served as vice superintendent of the U.S. Air Force Academy, deputy director of operations for Joint Special Operations Command, and the director of strategic plans, programs, and requirements for Air Force Special Operations Command.

Prior to the current position, Major General Harris was the director of integration and innovation and deputy chief of staff for strategy, integration, and requirements at Headquarters U.S. Air Force.

It is officers like this that I am proud to be a staunch advocate of in the Air Force community because, again, with the world on fire, we need more Air Force command officers in the fight, not out of the fight. That is why I am giving Maj. Gen. David A. Harris, Jr., tonight, a voice, because he cannot do so on the floor of the Senate.

Mr. President, now I would like to continue by highlighting MG David M. Hodne. He is Calendar No. 190, and he is selected for the grade of Lieutenant General. MG David M. Hodne is currently assigned as special assistant to the director of the Army staff with the office of the Chief of Staff of the Army.

Hodne attended the U.S. Military Academy at West Point, graduating in 1991 with a bachelor of science degree in aerospace engineering.

He later earned a master of arts in military studies in unconventional warfare from the American Military University. Hodne has command of the U.S. Army Infantry School and served as the Commanding General of the 4th Infantry Division in Fort Carson, CO, assuming command on August 19, 2021, and relinquishing it to David S. Doyle on June 13, 2023.

General Hodne was awarded the Defense Superior Service Medal; the Legion of Merit three times; the Bronze Star Medal not once, not twice, not three times, ladies and gentlemen, but four times; and a Purple Heart, which means he was injured in the line of duty.

Again, I am proud to be a staunch advocate of the U.S. Army community, and once again, I am standing up for valiant individuals who have answered the selfless call to serve.

That gentleman, again, was MG David M. Hodne for promotion to Lieutenant General.

Next, I rise today to talk about MG Karl H. Gingrich, Calendar No. 224, who is being selected for the grade of Lieutenant General to be deputy chief of staff of the U.S. Army.

MG Karl H. Gingrich became the director of program analysis and evaluation in the Office of the Deputy Chief of Staff at U.S. Army Headquarters. As the director of program analysis and evaluation, he is responsible for developing the program objective memorandum, which allocates resources in line with broader DOD guidance.

Prior to his current assignment, Major General Gingrich served as the director of capability and resource integration at USCYBERCOM, which included building the joint cyber warfighting architecture, which covers everything from data management to command and control at CYBERCOM.

Major General Gingrich's operational experience includes tours supporting Operation Enduring Freedom.

Major General Gingrich holds multiple graduate degrees from the University of Louisville, Air University, and the National Defense University.

So this evening, again, we will not be voting on MG Karl H. Gingrich, but he has earned this promotion, and I do hope we can resolve this very soon.

Next, I rise to talk about MG John B. Richardson IV, Calendar No. 233, who has been nominated to be Lieutenant General and commanding general of the First United States Army.

John B. Richardson IV was born in Baltimore, MD. He attended the United States Military Academy at West Point and graduated in 1991. In fact, he was the fifth member of his family to attend West Point, exemplifying a commitment to service.

Major General Richardson was commissioned as an armor officer in 1991 from West Point. He is a proud armored cavalry man. His first assignment was with the 1st Armored Division, serving as a tank platoon leader with 4th Battalion, 67th Armored Regiment, in Friedberg, Germany. He served in Iraq as the squadron operations officer in the 2nd Armored Calvary Regiment, and again, a year later, he deployed as an aide-de-camp to the commanding general of Multi-National Security Transition Command.

I am so proud of General Richardson, and I am glad to be able to stand on the floor of the U.S. Senate tonight and voice his qualifications.

Again, MG John B. Richardson IV and his promotion to Lieutenant General and commanding general of First United States Army.

Next, I am going to rise on behalf of Maj. Gen. Michael G.—oh let me start over; this is a tough one, folks—Koscheski. OK. This gentleman has a tough name. He also has a tough job. We hope we can get him into that tough job.

So I apologize, General. I owe you a beer.

OK. Calendar No. 239. He is being nominated to be deputy commander, Air Combat Command. Maj. Gen. Michael G. Koscheski—I think I got it right that time—is the commander of 15th Air Force, Shaw Air Force Base, SC. Fifteenth Air Force organizes, trains, and equips its headquarters to prepare for and execute expeditionary tasking.

The General received his commission from the United States Air Force Academy in 1992. That is the same year I received my commission as well—only from Iowa State University. He has served as an F–15E instructor pilot, a weapons officer, and a flight examiner. He is a command pilot with more than 2,800 flying hours. He has flown more than 650 combat hours over Syria, Iraq, and Afghanistan.

He is a decorated officer, with awards to include the Defense Superior Service Medal, the Legion of Merit with two oak leaf clusters, the Defense Meritorious Service Medal, and the Air Force Achievement Medal.

Again, I am proud to be a staunch advocate of the Air Combat Command community. We need officers like this in the fight, not out of the fight, and that is why I am giving voice to them this evening.

Next, we move on to Lt. Gen. Donna D. Shipton. I am rising to talk about Lt. Gen. Donna D. Shipton. She is Calendar No. 240 for the grade of Lieutenant General and deputy commander of the Air Force Life Cycle Management Center with the Air Force Materiel Command.

Lieutenant General Shipton received her commission in 1991 as a distinguished graduate of the Air Force Reserve Officer Training Corps upon graduating from Clemson University. She also has a long list of graduate degrees, including a master's in national security strategy from the National War College, a master's in space systems from the Air Force Institute of Technology, and a master's of arts in organizational management from George Washington University.

She is currently the military deputy with the Office of Assistant Secretary of the Air Force for Acquisition, Technology, and Logistics. Prior to her current position, Lieutenant General Shipton was the deputy director for the National Reconnaissance Office, NRO, where she assisted the director in managing the strategic and tactical operation of the NRO.

I truly believe we must stand up for the security and protection of our Nation, and I am proud to recognize this deserving officer who earned this promotion and highlight her selfless call to service. That is why I am voicing my support this evening for Lt. Gen. Donna D. Shipton and her promotion to Lieutenant General and deputy commander, Air Force Life Cycle Management Center, Air Force Materiel Command.

Next, I am rising to talk about an officer—Calendar No. 243—MG William J. Hartman. He has been nominated to be Lieutenant General and deputy commander of U.S. Cyber Command.

MG William J. Hartman is currently commander of Cyber National Mission Force. A native of Mobile, AL, Major General Hartman is a distinguished military graduate of the University of South Alabama, where he received his commission through the Reserve Officers' Training Corps as an infantry officer.

Major General Hartman served in multiple positions as an infantry, military intelligence, and cyberspace operations officer, with assignments in the United States, Italy, Germany, the Republic of Korea, Iraq, Afghanistan, and Turkey.

Major General Hartman has commanded a company battalion brigade and special mission unit and served as the senior intelligence officer at the battalion and the regimental level for the 75th Ranger Regiment—he is a bad mamba jamba—and multiple tours as a SOCOM Joint Task Force J–2.

He is a decorated officer, with awards to include the Legion of Merit with oak leaf cluster, the Bronze Star Medal with oak leaf clusters, the Meritorious Service Medal with oak leaf clusters, the Joint Commendation Medal, the Army Commendation Medal with oak leaf cluster, and the Army Achievement Medal with oak leaf clusters.

It is officers like this that I am very proud to represent on the floor of the U.S. Senate.

We need more folks operating within Cyber Command because we know that the world is on fire. We are in a new era. Cyber absolutely needs more officers like this in the fight, not out of the fight.

Again, this gentleman, hailing from the great State of Alabama, MG William J. Hartman and his promotion to Lieutenant General.

Next, we have LTG John S. Kolasheski. Oh my goodness. OK. I owe a lot of beers tonight. It is an Army thing, Air Force thing. You got it.

Calendar No. 244. He is being nominated to be Lieutenant General and deputy commanding general of U.S. Army Europe-Africa.

The Lieutenant General was commissioned as an armor officer and holds a bachelor of science in management from Bucknell University and a graduate's degree in engineering management from the University of Central Florida.

Lieutenant General Kolasheski has had a variety of command and staff assignments, to include deputy chief of staff, U.S. Army Forces Command at Fort Liberty, commandant of the United States Army Armor School, deputy commanding general for the 1st Infantry Division, the deputy chief of staff of strategic communications for NATO, and that is just to name a few.

He is a decorated officer, with awards to include the Distinguished Service Medal, the Defense Superior Service Medal, Legion—oh gosh; get this, Senator SULLIVAN—Legion of Merit with five oak leaf clusters.

Mr. SULLIVAN. Heroes.

Ms. ERNST. Heroes. And a Bronze Star Medal with three oak leaf clusters.

Mr. SULLIVAN. Heroes.

Ms. ERNST. It is officers like these whom I am proud to be a staunch advocate of because the Army community needs them. We need more Army command officers in the fight, not out of the fight. This is why I am standing up tonight in support of LG John S. Kolasheski and his promotion to deputy commanding general of the U.S. Army Europe-Africa.

Next, we have COL Jack J. Stumme. I am rising to talk about Jack J. Stumme. He is a Colonel under Calendar No. 284 for the grade of Brigadier General.

COL Jack J. Stumme is currently serving with the U.S. Army Europe-Africa as a command chaplain. Colonel Stumme has given years of service to our military and to his faith, serving as command chaplain for United States AFRICOM, the 18th Airborne Corps, and a staff chaplain for the Office of the Chief of Chaplains.

I firmly believe that Colonel Stumme's qualifications, record, and character make him exceptionally eligible for this appointment, and I speak with experience here. Our chaplains truly do God's work for the men and women who serve. That is why I am providing a voice this evening for Chaplain Stumme and his promotion to Brigadier General.

Next, I rise in support of Col. Matthew S. Allen. Matthew S. Allen is an Air Force officer—Calendar No. 336—and he has been selected for the grade of Brigadier General.

I would like to highlight Col. Matthew S. Allen, whom many of us know because he works directly with Members of Congress. Colonel Allen is the director of the Office of Legislative Affairs for U.S. Special Operations Command, the position dedicated to maintaining the good relationship between U.S. Special Operations Command and Congress.

And you will notice that a number of these biographies that I read earlier this morning, they were those who served within Special Operations Command and Joint Special Operations Command.

He is the direct link on all legislative issues that deal with Special Operations resources, authorities, and oversight, collaborating directly with the House of Representatives and us here in the Senate to ensure full authorization of U.S. Special Operations Command's annual budget.

Colonel Allen grew up in a military family with assignments all across the globe. He graduated high school in Fairfax, VA, received his commission from the U.S. Air Force Academy, and was selected as a special tactics officer following graduation.

Prior to his current assignment, Colonel Allen was the commander of the 24th Special Operations Wing, where he prepared special tactics forces to conduct special operations against threats to the homeland and to protect U.S. interests abroad.

Colonel Allen has been privileged to command at the squadron group and wing levels and led joint operations for Special Operations task forces throughout the Middle East, the European theater, and the Indo-Pacific region.

He has served in Operations Enduring Freedom, Iraqi Freedom, and Inherent Resolve and was the recipient of the Air Force's 2006 Sijan Leadership Award. He has spent his career in Special Operations, the air staff joint operational assignments, as well as numerous combat and contingency deployments.

I personally know Colonel Allen. He is an incredible officer within the Special Operations community. He definitely is an officer we need in the fight.

I thank you and salute you, Colonel Allen, and I do hope that we are able to move you on very soon to your well-deserved appointment to the grade of Brigadier General.

Next, I rise to highlight the career of Maj. Gen. Sean M. Farrell, U.S. Air Force, who is Calendar No. 339. Major General Farrell has been selected for the grade of Lieutenant General and has been appointed to the position of deputy commander of U.S. Special Operations Command.

Major General Farrell is currently the deputy commanding general of Joint Special Operations Command. In this role, he oversees the study of Special Operations requirements and techniques, ensuring joint interoperability and equipment standardization.

In addition, he prepares assigned, attached, and augmented forces to conduct special operations against threats to protect the homeland and U.S. interests abroad.

He was commissioned through the Reserve Officer Training Corps at Florida State University. He has a bachelor of science, a master of science from Wright State University, and a master of science in national resource strategy from the National Defense University.

He is a command pilot with over 3,500 flight hours in the AC–130H Spectre—that is bad; that is bad—AC–130W Stinger, AC–130U Spooky—we all know Spooky, Dan, right?—and C–130E Hercules aircraft, and has flown combat missions in Bosnia and Afghanistan.

He has commanded at the squadron group and wing levels, having commanded the 16th Special Operations Squadron, the 27th Special Operations Group, and the 1st Special Operations Wing.

He has distinguished his career, having been awarded the Defense Meritorious Service Medal, the Legion of Merit, and the Distinguished Flying Cross with valor device for acts of heroism above what is normally expected while engaged in direct combat with exposure to enemy hostilities and personal risk.

It is officers like this that I am proud to be a staunch advocate of within our Special Operations community. We need more Special Operations command officers in the fight, not out of the fight. And that is why I stand tonight and give voice to Maj. Gen. Sean M. Farrell on his promotion and his assumption of position at U.S. Special Operations Command.

Next, I rise in support of BG Lawrence G. Ferguson. He is Calendar No. 384, which contains a list of Army officers who have been selected for the grade of Major General. BG Lawrence G. Ferguson is the commanding general of 1st Special Forces Command (Airborne).

Brigadier General Ferguson is a graduate of the U.S. Air Force Academy, who cross-commissioned into the U.S. Army.

He attended the Army Ranger School, then served with the 101st Airborne ''Screaming Eagles'' Division. He earned a master's degree in American

history from Mississippi College, and he was an Army War College Fellow at Duke University Sanford School of Public Policy.

He served with the 7th Special Forces Group and has commanded at all levels from Captain through Colonel and served throughout Latin America and the Middle East. He has served in Operation Enduring Freedom, Iraqi Freedom, and Inherent Resolve in the Army's special missions unit.

His experience has included, more recently, deputy commander of operations, 82nd Airborne Division; chief of staff, U.S. Army Special Operations Command; commanding officer, 10th Special Forces Group (Airborne); and chief of staff, 1st Special Forces Command (Airborne).

And this evening, again, I am giving voice to those who cannot on the floor of the U.S. Senate this evening, BG Lawrence G. Ferguson on his promotion to Major General.

Next, I rise to talk about another officer within Calendar No. 384, and this officer has been selected for the grade of Major General. Now, this is BG Steven M. Marks, who is currently the deputy commanding general for 1st Special Forces Command (Airborne).

Are we seeing a pattern here? A pattern here? OK.

Brigadier General Marks was raised in Columbia, MO—State to my south—and earned his commission from the University of Missouri ROTC in 1982.

He served in a variety of tactical assignments in the Airborne Field Artillery Regiment and Special Operations units.

He is a graduate of the U.S. Naval War College and has a master's degree in defense analysis from the Naval Postgraduate School in Monterey, CA.

Brigadier General Marks has commanded in Afghanistan at every rank from Captain to Lieutenant Colonel and serving most recently as a commander of Special Operations Task Force Northeast.

He commanded the U.S. Army Garrison in Italy before returning to Joint Special Operations Command as the director of J5.

He is a decorated officer with awards to include the Defense Superior Service Medal, the Legion of Merit, the Bronze Star Medal, and the Meritorious Service Medal.

And, again, it is officers like this that I am proud to stand for on the floor of the U.S. Senate. I am a staunch advocate of those within our special operations community. We need more of these men and women in the fight, not out of the fight. And that is why I stand tonight for BG Steven M. Marks and his promotion to Major General.

So, folks, that does conclude the nominees that I had for this evening, and I want to reemphasize that it is the bad policy of the Biden administration that we are in opposition to. All of us here—I know all of us—are adamant supporters of life. We stand for life. But we also stand for other innocents and the innocent men and women who are serving in uniform today and continue to serve without advancement in their career fields while their families are hanging in the balance.

My colleague from Utah mentioned earlier: We have so many executive orders. We see the executive branch running away, taking additional authorities—and I am paraphrasing. It is because Congress has gotten lazy and sloppy. Those were two of his words—lazy and sloppy. Members of Congress didn't want to do the work. But aren't we getting lazy and sloppy when we hold hostage innocent people?

I understand that we have the opportunity to do these holds, but sometimes we have to work very hard to overcome adversity, just as these men and women have.

So let's find a way. Let's lobby other Members here within this body because that is our job to do so, not hold these members hostage to ever-changing demands.

Now, we would have asked for individual voice votes tonight because that is what has been asked for in the past but, unfortunately, has not been honored.

So, again, I stand for life. I will be an ardent supporter of life, and I will continue combating that, but I will not do it at the expense of these individuals. I will work with other members to find a way to overturn this egregious policy which President Biden and Secretary Lloyd Austin have put into place. So let's find a way to overturn the policy and advance these men and women.

And with that, I yield to the Senator from Alaska.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. SULLIVAN. Mr. President, I want to begin by thanking Senator ERNST, my good colleague—joint operations here—giving voice to these great Americans.

Now, look, if you are watching—I know it is almost 2:30 in the morning—but you are watching your American system. You have got to be proud. I am so proud. These are great Americans. These are the best of what we have. They are heroes, and their families are heroic.

And, look, a core principle as Republicans that distinguishes us, in my view, from the other side is our serious focus on national security, readiness, a strong military, and, yes, taking care of our military and their families. That is what we stand for. And it just makes me proud to listen to who we have up for confirmation to be a one-, two-, three-, or four-star General. We need them.

Senator GRAHAM said: Hey, we are coming on to the holidays. It is true. I had two Thanksgivings where I was deployed overseas, and it is not easy, right? You are missing your family. You are out there protecting your country. You don't think many people are even thinking of you when the rest of the country is celebrating and you are doing your duty.

So what we said 2 weeks ago is we are not—we will have your back. If you are a military member who is being held up right now, we will have your back. And that is what we are doing.

Like I said, I don't relish this. I didn't relish it 2 weeks ago. Kind of down here, as I mentioned, more in sadness and frustration than anger. But I also come from a State that is incredibly patriotic—Alaska—more veterans per capita than any State in the country. And they expect this of their Senators. Stand up for our men and women in uniform and don't punish the military for something they have nothing to do with.

Every one of those people Senator ERNST talked about who we were going to try to confirm tonight have nothing to do with the dispute that we are all in agreement—every Senator on the floor right now is in agreement.

I have been working with Senator TUBERVILLE for months together to try to reverse this policy of the Biden administration. I agree 100 percent it violates the Hyde amendment. It violates the rule of law. So I want to keep working with Senator TUBERVILLE and others on ways to reverse that.

But what we can't do, what we shouldn't do, but what is happening right now is we are punishing those who have nothing to do with it. And why punish patriotic military members over a dispute that they have no ability to fix and they didn't cause? Go after the civilians. Let's do it. I am taking them hostage in terms of holding them. They have the power. But why punish these war heroes who have served our country so faithfully? Why single out the Americans?

You know, we have all kinds of Federal workers, but there are very few Federal workers who sign a blank check with their life. That is all the people Senator ERNST read. They sign a blank check with their life, saying: All right.

You know, less than 1 percent of our great Nation's population does this—less than 1 percent. And nobody has told me—I mean, Senator LEE had a lot to say tonight. I agree with 99 percent of it, in terms of his talk about the Constitution and who has the ability to make laws. I couldn't agree more. But no one has come out and said: But here is why we are going to punish those people Senator ERNST just read about.

I don't think we should be doing that. I think we should be giving them a voice, and that is what we have been trying to do.

So, as I mentioned, one of my goals tonight that I mentioned in my remarks was to bring up these nominees one by one, try to get them cleared, as Senator TUBERVILLE mentioned. But it was—he had mentioned he was fine with a while ago.

By the way, this is regular order. We did some research. There have only been two Brigadier Generals confirmed by a recorded vote in the last half-century, OK? Twice that has happened in

the last half-century. So the regular order is actually—you do it by voice vote and en bloc.

What we are offering is, hey, we will do it by voice vote individually, every one. We will be down here for all 450. Senator ERNST and I would stay here all weekend to do that. But it is very clear from my colleagues that that is not going to happen.

Look, to be honest, if I were blocking all these military heroes, I wouldn't want their bios being read on the floor, but we are going to do that, because here is the other thing about this: There are a lot of emails and texts, and a lot of people are tweeting about this, but guess who can't go out and have a press conference on this. The military members. It is not their job.

Finally, one other issue—and then I am going to start talking about the people we are going to bring up—is that we really have to think about this issue as a strategic risk to the force. We have 450 officers, one-, two-, three-, and four-star Generals.

Yes, I know a little bit about the military, having served for 30 years. The system is kind of stymied, so even the ranks below one, two, and three star are starting to kind of get blocked. So I am not saying that Senator TUBERVILLE has a hold on those, but it is impacting those ranks as well.

Where I am very nervous, because I talk to a lot of my peers in the military, is that, you know, you work 30 years, you do deployments, you sacrifice—a big sacrifice for your families. These great men and women have options, and at a certain point, they time out in terms of their ability to move up or they have to get out. So if we start to lose a generation of our best, most combat-capable military officers over this, especially during this very dangerous time, that is going to be a huge strategic national security mistake.

So what I want to do, similar to Senator ERNST's focus, is bring to the floor and to the attention of the American people the people we were going to try to get confirmed tonight. I know they are going to be objected to, so, like Senator ERNST, I am going to talk about them because, again, I think the American people need to know this. The American people should take pride in these people because they are great patriots. And, remember, less than 1 percent join the military. I don't know what the percentage is that gets to flag officer rank, general officer or Admiral, but it is the best—not just the best in America but the best in the world, and we need them. We need them.

This dispute that is happening right now—again, I fully agree the Biden administration launched this. We are fighting it. But we need these people confirmed. Let's go after the confirmations of the civilians who actually are in charge of the policy. We have that option, too.

So one of the first nominees I was going to bring forward is on Calendar No. 95. That is Col. Robert Weiler. He is being promoted to Brigadier General of the U.S. Marine Corps. He is a Colonel right now—28 years—command of the 5th Marine Regiment.

I used to be in that regiment. That is the most storied infantry regiment in the Marine Corps.

He has deployed, I think, seven times to Iraq and Afghanistan. Imagine that family's sacrifice. He received a Silver Star for bravery, gallantry, and intrepidity in action against the enemy while serving as a commanding officer of Weapons Company, 2nd Battalion, 4th Marines, 5th Marine Regiment.

I am going to read that citation. There are not many Silver Star recipients in America. Here is one right now who could be confirmed to Brigadier General. He has earned it. And he is no ''woke'' military member; he is a warrior.

Here is his citation for the Silver Star. It is one of the highest awards for combat valor that we have.

The President of the United States of America takes pleasure in presenting the Silver Star to Captain Robert S. Weiler, United States Marine Corps, for conspicuous gallantry and intrepidity in action against the enemy while serving as Commanding Officer, Weapons Company, Second Battalion, Fourth Marines, FIRST Marine Division, I Marine Expeditionary Force . . . in support of Operation IRAQI FREEDOM II from 6 to 10 April 2004. On 6 April, Captain Weiler led elements of Weapons Company against an enemy force that was attempting to isolate and destroy a squad-sized element of Echo Company.

Another unit, an adjacent Marine Corps unit.

As the column moved east along Route Nova, they were ambushed by enemy forces. Despite the barrage of intense enemy fire, Captain Weiler calmly directed the tactical employment of the unit, leading to the relief of the embattled squad.

OK. Saving American lives. Saving the lives of other marines. That is what this is. And then he led the destruction of the besieging enemy, so he killed the bad guys.

On 7 April, he led the company on a mission to reinforce [another Marine Corps] unit in contact. As they moved northeast along Route Apple, the column encountered heavy rocket-propelled grenade and automatic weapons fire. During the ensuing three-hour firefight—

Think about that, America. We have been on the floor for 3 hours. These guys were in an intense firefight for 3 hours—

he repeatedly exposed himself to enemy fire to direct [his] unit's counterattack, personally leading squads as they assaulted enemy firing positions. His courage and leadership were further displayed during Operation BUG HUNT. Heavily engaged by enemy forces over a four-hour period—

Four hours; combat—

Captain Weiler continued to fearlessly lead Marines as they destroyed a tenacious enemy. By his bold leadership, wise judgment, and complete dedication to duty, Captain Weiler reflected great credit upon himself and upheld the highest traditions of the Marine Corps and the United States Naval Service.

Mr. President, I ask unanimous consent to have this Silver Star citation printed in the RECORD.

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

SILVER STAR—AWARDED FOR ACTIONS DURING GLOBAL WAR ON TERROR

Service: Marine Corps
Battalion: 2d Battalion
Division: 1st Marine Division, I MEF
General Orders:
Citation:

The President of the United States of America takes pleasure in presenting the Silver Star to Captain Robert S. Weiler, United States Marine Corps, for conspicuous gallantry and intrepidity in action against the enemy while serving as Commanding Officer, Weapons Company, Second Battalion, Fourth Marines, FIRST Marine Division, I Marine Expeditionary Force, U.S. Marine Corps Forces, Central Command in support of Operation IRAQI FREEDOM II from 6 to 10 April 2004. On 6 April, Captain Weiler led elements of Weapons Company against an enemy force that was attempting to isolate and destroy a squad-sized element of Echo Company. As the column moved east along Route Nova, they were ambushed by enemy forces. Despite the barrage of intense enemy fire, Captain Weiler calmly directed the tactical employment of the unit, leading to relief of the embattled squad and the destruction of the besieging enemy. On 7th April, he led the company on a mission to reinforce a unit in contact. As they moved northeast along Route Apple, the column encountered heavy rocket-propelled grenade and automatic weapons fire. During the ensuing three-hour firefight, he repeatedly exposed himself to enemy fire to direct the unit's counterattack, personally leading squads as they assaulted enemy firing positions. His courage and leadership were further displayed during Operation BUG HUNT. Heavily engaged by enemy forces over a four-hour period, Captain Weiler continued to fearlessly lead Marines as they destroyed a tenacious enemy. By his bold leadership, wise judgment, and complete dedication to duty, Captain Weiler reflected great credit upon himself and upheld the highest traditions of the Marine Corps and the United States Naval Service.

Mr. SULLIVAN. It doesn't mention it here, but do you know what else he received during that firefight—two firefights? The Purple Heart. So he was wounded in action by the enemy. Then, later, several months later, he received a Navy and Marine Corps Commendation Medal with combat distinguishing device for heroic achievement in combat.

He took decisive action directing fires of his raid force, quickly gaining fire superiority and suppressing the enemy. Although dazed by a blast from a mortar round, he continued to lead and direct his team, which led to the capture of all five insurgents on the target raid list.

That is another combat medal he won.

So we were going to bring him up for promotion today to Brigadier General, a complete American war hero, but unfortunately Colonel Weiler's promotion to Brigadier General is being blocked.

By the way, he had nothing to do with the policy and dispute that we all agree on, that we have to overturn

that. Nothing to do with it. Nothing. When he gets promoted to Brigadier General, he won't have any ability to fix it. This is a war hero punished for an issue he has nothing to do with.

OK. Calendar No. 93. This is for Brigadier General Ronald Ragin—yes, that is how you pronounce it; it is not spelled that same way—to be Major General. He is in the U.S. Army. Like Senator ERNST, who is an expert in Special Operations forces, this General is an expert in Special Operations forces.

Most recently, he is serving as commanding general, 21st Theater Sustainment Command, U.S. Army Europe and Africa. His command assignments: troop commander, combat sports squadron, 11th Armored Calvary Regiment; company commander, 225th Forward Support Battalion, 25th Infantry Division; battalion commander, Group Support Battalion, 3rd Special Forces Group-Airborne; squadron commander support, 1st Special Forces Operations Detachment, Delta Force. OK. You are not even supposed to say that, I don't think. Are you? OK. Delta Force, the most elite Special Operations force. It is not even supposed to be talked about. A Delta Force commander.

This guy is unbelievable, his record. So he is an expert in Special Operations forces, a Delta Force commander, brigade commander for Sustainment Brigade, numerous deployments to Afghanistan and Iraq, Airborne, 7th Special Forces Group, U.S. Special Operations Command, and we are trying to move him from a one-star to a two-star General.

He is an American hero who, by the way, has nothing to do with the dispute. He is being punished—not being promoted, being punished over something he has nothing to do with. That is a great American hero right there.

Let's look at another one here we are going to bring up, another U.S. Army Brigadier General to move to the grade of Major General. That is two-star. This is Brigadier General Lance G. Curtis. Again, another Airborne platoon; served at all levels of command—82nd Airborne, 101st Airborne; numerous deployments; executive officer; deputy commander for U.S. Forces Afghanistan in Kabul during Operation Enduring Freedom; battalion commander of the 87th Combat Sustainment Support Battalion, 3rd Infantry Division at Fort Stewart, GA, and at Camp Leatherneck, Afghanistan, during OEF; commander for Special Forces Command, United States Special Operations Command; and the executive officer of the commander of Army Personnel; finally, deputy director of headquarters in the U.S. Army, G–4.

Again, I mean, think about this. This is decades of service—decades. These are great patriots, and they are being punished over an issue they have nothing to do with and can't fix.

Mr. LEE. Will the Senator yield for a question?

Mr. SULLIVAN. No. I am getting through—this is really important for me to make sure the American people hear about these warriors, so I am prioritizing—

Mr. LEE. I have got a question relative to that. Will the gentleman yield for a question?

Mr. SULLIVAN. No, I won't.

Mr. President, the next hero that we are trying to confirm is BG Michelle Donahue to be Major General of the U.S. Army. With 26 years of service, currently, Michelle Donahue is a Brigadier General. She has served in the 1st Infantry Division in the U.S. Army Special Operations Command. Her combat tours include deployments to Jordan with the 528th Special Operations Support Battalion; a deployment to Iraq; a deployment in support of Operation Iraqi Freedom; a deployment to Afghanistan in 2014 as the squadron commander for the Regimental Support Squadron.

Brigadier General Donahue has served as special assistant to the 37th Chief of Staff of the Army and to the 18th Chairman of the Joint Chiefs, operational command and command at the highest levels with the Chief of Staff of the Army in terms of being a special assistant there and trying to get promoted from Brigadier General to Major General—that is a two-star General—and she is being blocked over something that she has nothing to do with. Again, we need these warriors on the field.

Speaking of warriors, this is another nominee who has made the grade of Major General, that is a two-star General. He is Brig. Gen. Thomas Harrell. He most recently served as the director for the Defense Health Network and as the commander of the 59th Medical Wing.

Now, this is also really important. You don't hear about this element of our military that much. The leaders who lead the medical units are so important. Brigadier General Harrell has commanded a squadron level, a DOD hospital, an Air Force medical center. He previously served as the commander of the Air Force Medical Readiness Agency, as the Defense Health Agency Headquarters' deputy director of medical operations of the Air Force, as the deputy director of medical services in the entire U.S. Air Force, and as the subunified Alaskan Command surgeon general at Joint Base Elmendorf-Richardson in Alaska. It is a really important job in my State.

He also received an Air Medal for valor. Let me read that:

> Brig. Gen. Thomas W. Harrell contributed to national security objectives by flying missions in support of Operation Iraqi Freedom. These flights were accomplished in the face of enemy threats to include small-arms fire, anti-aircraft artillery, and surface-to-air missiles.

Think about that. That is a medical officer taking incoming enemy fire to go save lives. That is a hero.

> His superior ability in the presence of perilous and dangerous conditions was manifested in the performance of medical observers in addition to addressing the in-flight health needs of the crew and combatants, culminating in the safe and timely delivery of cargo and combat troops.

That is a war hero right there. Unfortunately, if we move to get that Brigadier General promoted to Major General tonight, it looks like it is probably not going to happen.

We are also looking at Brig. Gen. Jeannine Ryder to be a Major General in the U.S. Air Force. She is Calendar No. 106. Jeannine Ryder, again, is part of the Air Force medical agency units and chief of the Air Force Nurse Corps.

OK. Again, these are really, really important jobs that we need.

Again, this is somebody in a very competitive world who has moved all the way up the ranks from a one- to two-star General. She has been involved in the execution of medical readiness programs, expeditionary medical capabilities, and the direct support and implementation of policy, plans, and programs for healthcare operations of the Air Force Medical Service to more than 44,000 U.S. Air Force personnel at 76 military treatment facilities. That is unbelievable. Brigadier General Ryder has commanded at the flight, squadron, and group levels in both deployed and in garrison environments.

Prior to her most recent assignment, Brigadier General Ryder was the commander of the 59th Medical Wing, market director of the San Antonio Military Health System, Joint Base San Antonio, Lackland, TX.

She is very deserving of a promotion and can't be promoted over something she has nothing to do with—nothing. And if she got promoted, she wouldn't be involved in fixing it either.

You know, when we came down here 2 weeks ago, it kind of struck me because we have 450 officers right now, and we are standing with them. We are standing with them. We are pro-life Senators who are standing with them. I think we have emphasized that enough, but we will emphasize it again. One of the things that struck me 2 weeks ago was how many one- and two- and three-star Admirals with very significant deployment experience, particularly on submarines, are now being blocked.

As anyone who knows about our challenges in the Indo-Pacific theater, Xi Jinping, who was visiting America—I haven't gotten a read out of the President's meeting, but I am worried that they are weak on them and that they are weak on the military.

Again, what I want to do with my colleagues here on the floor is actually get through this issue and turn to the bigger readiness problem, which is the weakness of the Biden administration. But where we don't have weakness is in submarines. We need more submarines, but we have the best commanders in the world. Xi Jinping is scared to death of the American sub fleet—scared to death. They know if they try to invade Taiwan—and we have subs in the Taiwan Strait—we will take out their

whole invasion force. But we need good commanders.

And 2 weeks ago, there were six sub commanders who were objected to—six. As I mentioned then, I guarantee you the Chinese Communist Party's military apparatus is going, like: I can't believe our luck with the thing we are so frightened of.

And you can't produce a sub commander overnight. It takes 30, 40 years.

So we have some Navy officers here. This is Calendar No. 234, VADM Jeffrey Hughes. He is a two-star Admiral to be Vice Admiral. His naval career is unbelievable.

For 34 years, he served as a detachment officer in charge headed tours of a helicopter anti-submarine squadron where he deployed on the USS *Carr*, the USS *Elrod*, the USS *John Hancock*, supporting strike group deployments with the USS *America*, which is an aircraft carrier, and the USS *John F. Kennedy*, another aircraft carrier.

He is a pilot who hunts subs. As an MH–60 helo pilot, he was named the Pilot of the Year and was the co-recipient of the Commanding Officer's Helmsman Award for calendar year 1993—so the best of his class. He served as executive officer and the 14th commanding officer of the Fighting Vipers. He was the Helicopter Maritime Strike Wing commander, the U.S. Atlantic Fleet and a recipient of the Navy and Marine Corps Association—peer-selected—Leadership Award.

This is a great Navy aviator leader. As a flag officer, Admiral Hughes has served as commander of Navy Recruiting Command, commander of Expeditionary Strike Group Two, and, most recently, deputy chief of Naval Personnel/commander, Navy Personnel Command. He is an incredible Navy leader.

We need more Navy officers confirmed. He is being blocked over an issue he has nothing to do with. We would like to move him on regular order tonight. Regular order would be an individual vote, and we are ready to take it. Unfortunately, it is going to be blocked. So that is not good for our national security. As I mentioned, the Biden administration's budget right now shrinks the Navy. That is horrible. But we, at least, need to get our great Navy officers on the ships in the command.

The next one we are looking at is a Brigadier General to be a Major General in the U.S. Air Force. He is a Brigadier General by the name of Curtis R. Bass. He was Calendar No. 110. Again, boy, look at this guy's resume. Unbelievable. He was the senior executive officer of the 22nd Air Force Chief of Staff, the commander of the E–8C Joint Surveillance Target Attack Radar System Combat Flying Squadron at Al Udeid Air Base in Qatar.

By the way, our military members in the Middle East right now are taking fire. They are in combat. Some of the officers who are being blocked—I have talked to some of them in the Middle East, whose promotions are being blocked, are taking fire from the enemy. What? You don't think they are bitter right now? I know they are bitter. They are taking fire from the enemy. One-star Generals, Colonels—I know this; I have talked to them—are being blocked over something they have nothing to do with. They are risking their lives right now. Right now. That is a fact.

So he is another one of the Air Force aviation intel systems—one of the best—who just recently served as deputy commander of the U.S. Air Force Warfare Center at Nellis Air Force Base in Nevada. He is a tremendous operator who is being blocked over something he has nothing to do with and has no ability to fix.

These are apolitical members, right? By the way, of this blanket hold—we have done the research—we have never had a blanket hold for this long, of this duration, and with this many officers in the history of the United States of America.

The next officer we are going to bring forward is Air Force Brig. Gen. Jason T. Hinds to, again, be promoted to Major General, U.S. Air Force officer. Boy, oh, boy. Look at this guy's background. He has flown all kinds of positions, including First Fighter Wing, commander; F–22 Fighter Squadron, commander; F–22 instructor pilot and flight examiner; F–15C instructor and weapons officer. I think he has over 4,000—4,000—hours of flying. I mean, this is probably one of the best pilots in the world. He previously served as the director of Plans, Programs, and Analyses at the U.S. Air Force in Europe and Air Forces in Africa and at Ramstein Air Base, Germany.

He has been selected to be a two-star General from a one-star, which is really hard to do—really hard to do. Unfortunately, we can't get him confirmed despite the fact that he has nothing to do with the policy that we all want to fix. Everyone here wants to fix that policy, but he has nothing to do with it, and he is being punished for this.

There are a lot of Air Force officers. Boy, are these men and women impressive. This is Brig. Gen. Charles D. Bolton to be Major General of the U.S. Air Force. Brigadier General Bolton most recently served as the U.S. Transportation Command Global Operations Center chief at Scott Air Force Base. For 29 years, he has commanded in the U.S. Air Force, including, most recently, the 386th Expeditionary Operations Support Squadron in southwest Asia and the 386th Air Expeditionary Wing.

Prior to his current assignment, he was the deputy director of Operations, Strategic Deterrence and Nuclear Integration, Headquarters Air Mobility Command, Scott Air Force Base.

He is a master navigator with almost 3,000 hours in a C–130E and a C–130H. He is a distinguished graduate of the U.S. Air Force Weapons School, with multiple tours to Iraq, Afghanistan, Inherent Resolve, Iraqi Freedom—multiple tours.

By the way, Senator ERNST and I are not even talking about it, but think about the families behind all of these officers and all of these deployments and their children and how much they have sacrificed. That is something else we need to think about. It is not just the men and women in the military wearing the uniform. It is their families, and this is really negatively impacting the families as well.

As Senator ERNST has said, they don't have a voice. We are trying to give them a voice. We are trying to say: We are remembering. We are remembering. We have your back. We are down here again. We told you we would be down here again, and we are down here again.

The next one is another Air Force one-star General to be Major General. This is John R. Edwards. He was on Calendar No. 110.

He most recently served as the director for strategic capabilities policy on the National Security Council. He has a 28-year military career. Get this, he has commanded the 28th Bomb Wing at Ellsworth Air Force Base in South Dakota, the 479th Flying Training Group at Pensacola Naval Air Station, and the 96th Bomb Squadron at Barksdale Air Force Base in Louisiana.

He has served on the joint staff at the J–8. Prior to his current assignment, he was the director of nuclear enterprise, Defense Threat Reduction Agency—just amazing experience.

He is a master combat systems officer with over 2,500 flight hours, including 237 combat hours in Operations Allied Force and Enduring Freedom.

He also has a Valor Award. Let me read that. It is an Air Medal for combat action at the onset of Operation Anaconda. That was the military operation in Afghanistan. His aircraft extended its alert interdiction time over the battlefield to support coalition ground units, providing crucial firepower for American troops in contact.

What does that mean? That means we had troops who were on the ground in combat, and he came in with air power to suppress the enemy, saving American lives. His crew then released 45 MK–82 gravity bombs, destroying the enemy troops that were threatening friendly American ground units.

During another mission, his attack aircraft struck nine targets using a complex combination of joint direct attack emissions, and all targets were destroyed, saving countless American ground forces.

That is an American hero right there. I just read his Air Medal combat citation—an American hero—and his career right now is being punished for something he had nothing to do with.

We have another one, a Brigadier General in the Air Force, Sean Choquette to be Major General. He has 33 years in the U.S. military, 2,800 hours flying, 300 deployed combat hours flying in terms of Uphold Democracy, Southern Watch, Iraqi Freedom,

Enduring Freedom, and Inherent Resolve.

He has commanded at the company squadron and wing levels. That is literally every level of command in the Air Force. This is a great leader, a great leader.

Again, he was awarded the Defense Superior Service Medal in terms of combat operations in Inherent Resolve, Deliberate Resolve, and Freedom's Sentinel. He enabled the United States and 17 coalition nations over the time he was in command to deliver 20,000 strike sorties, 39,000 flight hours, and employ and deliver over 8,000 weapons.

This is a warrior whom we need right now, who is on the bench. He can't get confirmed through no fault of his own on anything.

The next officer we were looking at trying to promote was Maj. Gen. Greg Masiello to be Lieutenant General—a three-star General. He was most recently the military deputy to the Under Secretary for Policy at the Pentagon. And, if confirmed, the Agency that he would lead focuses on operations all over the globe.

Prior to his current position, he was the executive officer for the Air Anti-Submarine Warfare, Assault and Special Missions Programs at Naval Air Systems Command, where he previously served as NAVAIR's commander for logistics and industrial operations.

He understands the systems in our Pentagon. He is to be promoted to three-star General. We are here talking about his service.

The next officer that we were going to try and promote through regular order, by the way, and by individual voice vote—I still haven't heard why that is not acceptable—was Rear Admiral Jeffrey Jablon to be a Vice Admiral, a three-star Admiral.

Again, when you look at Admiral Jablon's career, he is one of the ones that I was talking about recently with incredible experience as a submarine commander—incredible.

He was a fleet naval submarine warfare strategist at U.S. Special Operations Command, commander of the Submarine Development Squadron 12, deputy commander for training, Naval Submarine School, and prospective commanding officer instructor.

Remember, these are nuclear-powered subs, the most advanced warfighting machines in the world. The Chinese are scared to death of them. But you cannot just grab an Ensign or Lieutenant and say: Hey, go command a nuclear sub.

It takes decades—decades—to train somebody on a nuclear sub.

He has commanded at all levels in terms of the submarine force, and we are trying to get him promoted to three-star Admiral.

Again, this is a huge strategic advantage we have over China, our submarine force. Yet so many of these Admirals are being blocked. They are being blocked.

I have a few more—actually, we have a lot more. It is coming on 3 a.m. I really appreciate my colleagues being here. But we are trying to give voice—trying to give voice—to these heroes whom we need on the field of battle right now.

The next one we were trying to get confirmed tonight was VADM William J. Houston to be an Admiral, to be a four-star Admiral. He was on Calendar No. 202.

Again, this officer's submarine experience is unbelievable. He had many key positions, including division officer of the USS *Phoenix*, which is a sub; engineer officer aboard the USS *Hampton*, which is a submarine; the executive officer aboard the USS *Tennessee*, which is a strategic ballistic missile sub.

He has commanded and was commodore of Submarine Squadron 20, out of Kings Bay, GA. He also served as the flag lieutenant for the commander, Submarine Force U.S. Atlantic Fleet; Nuclear Propulsion Examining Board, special assistant to the Director of Naval Reactors; and the deputy commander for Sub Squadron 20, among other roles.

Again, this is a four-star Admiral. I think he has 35 years of experience with submarines—the weapons system that Xi Jinping has nightmares about—and we are keeping him on the bench over an issue he has nothing to do with—nothing. That is the whole thing.

We want to solve this issue. We are pro-life Senators. We are pro-military Senators. And these men and women—every American, I hope you are listening. I know it is 3 in the morning. We are here to give them voice. But if you are an American and you read about Admiral Houston's background, think about what his family has gone through. Think about the options he has in his world.

We don't want him to leave. We don't want any of these people to leave. We need them. This is the most combat-experienced group of general officers probably since World War II.

Let me turn to another branch, the U.S. Army. This is MG Anthony Hale to be Lieutenant General Hale.

Major General Hale is an expert in Army intelligence—Army intelligence. He has served at U.S. Special Operations Command. He currently is the deputy chief of staff of the G–2 for the entire U.S. Army. The G–2 is the group in the military in charge of intelligence.

His deployments, I think—I am reading his bio here—six or seven deployments in Iraq, Afghanistan. He has gone all the way up the chain in the U.S. military—Bosnia, Kosovo, Afghanistan, Iraq—several times. He is the top intel officer for the U.S. Army—top intel officer for the U.S. Army—and his career is on hold right now, like 450 others.

But, again, we could confirm them tonight. This is regular order, by the way—regular order. This is, actually, more than regular order. The Senate has only done this twice—rollcall votes—in 50 years, for one- or two-star officers.

The next officer we were looking to promote is MG Thomas James. He is a two-star General to Lieutenant General. We were looking to move him forward. He is an expert in space. He was supposed to be the deputy commander of U.S. Space Command, and, boy, do we need that. That is a whole other warfare element that people don't talk about.

He also has a tremendous background in Special Forces and several deployments to Iraq and Afghanistan. His family sacrificed. He was the deputy commander for Joint Functional Component Command for Space, leader of the 20th Special Forces Group (Airborne)—Airborne—and a space expert.

Again, we are trying to make sure he knows—Major General James, of the U.S. Army, to be deputy commander of U.S. Space Command. We are thanking you, General, and your family. We are thanking you for your service, General, and your family. We are trying to move your promotion, which was hard to get, well-deserved. We are trying to move that forward.

We are trying to fix the policy that we all don't like here on the Hyde amendment issues. There are a lot of ways of trying to do that, but we think punishing General James and his family, in my view, doesn't make any sense.

Senator LEE mentioned Senator TUBERVILLE has the right to do it. I agree with that. He does. But I don't agree with the tactic.

Mr. President, the next officer we are looking to promote was Major General Spain, U.S. Air Force, to be Lieutenant General, three-star General. He is to be the Deputy Chief of Staff for Operations for the entire U.S. Air Force. That is a huge job.

He has got over 30 years of military service. He is a pilot. He has served as a weapons officer for the 58th Fighter Squadron. He led the Nation's first Operation Noble Eagle deployment to the National Capital Region. He has numerous deployments to Iraq, Afghanistan. He served as the 53rd Wing commander, the 380th Air Expeditionary Wing commander. He has led the operations for the J3—that is military operations—for U.S. European Command during Afghanistan and the J3 at USEUCOM in response to Russian aggression in support of Ukraine, up to and through the invasion.

He was a command pilot with more than 2,300 hours in multiple aircraft, primarily the F–15C and F–22. An incredible warrior there, incredible warrior. Combat sorties. Here is an Air Achievement Medal, Legion of Merit. Senator ERNST was talking a lot about Legion of Merit.

Skilled fleet. Led a rotation force of over 10,000 coalition personnel, 50 combat aircraft. His combat team executed

over 5,600 sorties in 52,000 flying hours, offloaded nearly 2 million pounds of fuel, collected intelligence on 172,000 targets, supported 3,800 strikes against the Islamic State and Syria in Iraq.

You don't think we need him now? We are bombing terrorist groups in Iraq and Syria as we speak. That is exactly the kind of officer we need in the field fighting, not on the bench.

Mr. President, the next one we are looking at was Col. Paul Sellars to be a Brigadier General. Colonel Sellars, like a lot of the people we have spoken about tonight, has a very significant background in Special Operations. He has deployed numerous times to Iraq, Afghanistan, Kuwait, with Special Forces operations. He has also conducted exercises in the INDOPACOM region, Philippines, Malaysia. And he has served with the J3 for Special Operations Detachment in the Pacific.

Again, Paul Sellars, Colonel, to be Brigadier General—incredible background—and, right now, he can't get promoted over something that he has no involvement with. So we are giving him voice.

The next one, Mr. President, is BG Jacqueline Brown to be the grade of Major General. Jacqueline Brown is currently serving as the Director of Operations, Networks, and Space and Information Systems—so the G–6, the group that is bringing in all the communications. Over 30 years of service in the U.S. Army. She served as executive officer, Army chief information officer, and the plans and strategy division chief of the Army G–6.

She, like everybody else, has deployed to Afghanistan, to Iraq. She has been a chief of operations and plans for the G–6 for the Army's 3rd Corps at Fort Hood and has served at different levels in her career, starting in the 6th Signal Battalion, Fort Richardson, AK, and later battalion signal officer in the 106th Military Intelligence Battalion.

I was talking about how medical units are so important, but so are the information systems, comms systems, space systems. And BG Jacqueline Brown is one who has an amazing career. We are trying to get her promoted to two-star, and I hope we can do that soon.

Just a couple more, Mr. President. This one should be known to everybody here: Col. Matthew Good, Col. Matthew Good. He is a great marine. Many of you know him because he served as the top marine liaison to the U.S. Senate recently, but he has an incredible bio. He knows many legislators. Going on 30 years as an infantry officer. He served as a faculty member at Marine Command and Staff; multiple deployments to Iraq, Afghanistan, and has moved up the chain in the Marine Corps like a good Marine infantry officer.

He served as a platoon commander, a rifle company commander, a weapons company executive officer, a rifle company commander, a company operations officer, and deployed, like I said, numerous times to Iraq and Afghanistan. And everybody who knows him knows what a great leader he is—measured, great advice. I relied on Colonel Good's advice many, many times over the last several years when he was here as the lead Senate liaison. Just a fantastic guy, and so many of us know him; and, right now, he cannot get promoted to Brigadier General. He should be but can't be.

Mr. President, the next officer we were trying to promote tonight was BG Richard Appelhans, who recently served as commander of the U.S. Army Intelligence Center of Excellence at Fort Huachuca. So, again, this is a top army officer. He deployed several times: Korea, Kuwait, Germany, the Netherlands, Afghanistan, Bosnia, Iraq. Geez, that is like seven deployments right there. Think about his family.

He began his career as an armor officer, and then he transitioned to military intelligence. He has served in a variety of command and staff assignments and now is trying to get promoted to two-star General. We think he should be. He has nothing to do with the current dispute—nothing—and no ability to fix it.

I haven't heard one reason why putting a hold on 450 apolitical military officers who are being punished—I just—I don't understand it.

Mr. President, another marine Colonel to be promoted to Brigadier General—infantry officer who has led and served at the highest levels of every infantry unit he has commanded: forward observer, guns platoon commander, fire direction officer, artillery. He is actually an artillery officer. 26th MEU, Marine Expeditionary Unit. Deployed all over the world, extensive experience in the INDOPACOM region, serving with 12th Marines during Operation Enduring Freedom. The 12th Marines is a Marine artillery unit. Completed several deployments to Iraq, awarded the Combat Action Ribbon.

Again, a great marine, great hero, a Colonel to a Brigadier General. And his promotion is being stalled.

Let's do another Brigadier General. Colonel to Brigadier General, U.S. Marine Corps. This is Adolfo Garcia.

Same thing, Mr. President: Multiple deployments. Iraq, Afghanistan, 12th Marines. He is also an artillery officer. He served on the Joint Staff, so he has a lot of knowledge at the big level of the Pentagon and as a military secretary to the 38th Commandant of the Marine Corps. So really knows his combat issues and higher-level Marine Corps issues—exactly the kind of officer you want—going from Colonel to Brigadier General. He has earned it, 30 years in. Again, not involved in this dispute.

So my final one—we have a number more, but it is almost 3:30, and I think our attempts at trying to get these officers promoted were not successful. Hopefully, we can get through this. I am hoping—I don't think anyone in the Senate thinks it is good to punish 450 officers over something that they have no control over.

Mr. LEE. Will the gentleman yield for a question?

Mr. SULLIVAN. I am going to finish this final one, and then I will.

This is Col. Trevor Hall, 33 years in the Marine Corps. He served as both enlisted and—a military enlisted and officer. His command experience includes rifle and weapons platoon commander, 3rd Battalion 6th Marines; multiple deployments to Iraq and Afghanistan. He served with the 26th Marine Expeditionary Unit. He served in support of Operation Desert Thunder, Operation Iraqi Freedom, Operation Unified Protector—that is Libya. Combat marine moving from Colonel to Brigadier General.

That is one more that we would want to promote tonight. We have several others, Mr. President. It is 3:30. I am hoping that, my colleagues, we can continue to make progress. I am committed to continue to work with Senator TUBERVILLE and others on moving forward, but at the same time, we have got to keep faith with these military members. We have got to keep faith with them. Many of them are deployed right now. A number of them are in combat.

And we committed to come back down here and try to move these, and we are going to keep doing it. Hopefully, we can move forward with my colleagues here to, as I mentioned, focus on the big issues of national security and readiness, which I believe, with regard to the Biden administration, are legion. I have been fighting those in the Armed Services Committee.

The Biden budget shrinks the Army, shrinks the Navy, shrinks the Marine Corps right now. That is music to Xi Jinping and Putin's ears. Next year's budget will be below 3 percent of GDP. We have only been below 3 percent of GDP maybe four or five times in the last 70 years. So that is not a good number. We need a much more robust military. I want to work with my partners, including those on the floor here, to focus on those issues. But we need to get through this, and it is important. We need to fix the policy, the abortion policy, that we all disagree with here. There are a number of ways we can do it. Again, I have worked with Senator TUBERVILLE on ways to do that.

And I do agree with my colleagues here that this was started and provoked by the Biden administration. But punishing these 450 members and their families is not the best way—is not the way to go about doing that.

So, Mr. President—do you want to say anything else?

The PRESIDING OFFICER. The Senator from Iowa.

Ms. ERNST. Mr. President, I do want to thank my colleagues for coming to the floor this evening and especially Senator DAN SULLIVAN of Alaska, a Colonel in the Marine Corps Reserve, a fine marine. He has deployed in service

to our Nation. And, as well, Senator LINDSEY GRAHAM of South Carolina and Senator TODD YOUNG of Indiana—all veterans, all have served in uniform, understand the significance, the importance of getting these nominees over the finish line. Again, all pro-life, my colleagues here as well—adamantly pro-life. We are pro-life.

There has got to be another way to overturn this policy, change the policy. That is our jobs. It is not the jobs of these nominees. It is our job to make sure the policy is right.

It is President Biden's fault we are in this situation. It is Lloyd Austin's fault that we are in this situation. It is CHUCK SCHUMER's fault that we are in this situation.

And I understand that a Senator has the prerogative, has the right, in this body to put blanket holds on nominees. But, folks, you know, my mom and dad always had a saying: Just because you can do it doesn't mean you should.

Yes, you can put blanket holds on these nominees, but what is that doing to our Nation right now? It is not solving the travel policy. That is our job. We have to figure this out. And it is not getting these men and women into the positions that are needed for our readiness and our national security.

So we, as pro-life Senators, need to figure this out, and we need to work with our House Members. We need to work with the majority here in the U.S. Senate and find a path forward. It is up to us to do that.

Again, thanks to my colleagues for coming down tonight for, one, supporting life—we all support life—but also supporting the military. We can have not just pro-life Senators and not just pro-military Senators; we can have both. And that is whom we are representing tonight.

Thank you, Senator SULLIVAN. I will yield back to the Senator from Alaska.

Mr. SULLIVAN. My colleague had a question.

Mr. President, I yield the floor.

By the way, Mr. President, I appreciate your staying late, 3:30. And it is important work.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Mr. President, the late Associate Justice Oliver Wendell Holmes, Jr., used to say: There is a point of contact in every case. He defined that point of contact as the place where the boy got his finger caught in the machinery.

Secretary of Defense Lloyd Austin got his finger caught in the machinery. Hence, defining the point of contact in this case, in this dispute, when he decided to circumvent the plain intent and effect of 10 U.S.C. 1093, plainly prohibiting the use of DOD funds to perform abortions. He did that with clear intent to avoid the impact of the law while purporting to comply with it. He did so shamefully.

I appreciate my colleagues Senator ERNST and Senator SULLIVAN for their service to our country. Their service, along with that of Senators GRAHAM and YOUNG, who were with us earlier tonight, is admirable, as is their service in the U.S. Senate.

The service to our country exhibited by Senator TUBERVILLE is no less to be commended, no less to be admired. I, frankly, resent the suggestion, to the extent anyone is making it, that he is any less qualified to make these arguments simply because of the fact that he hasn't worn that uniform. He has every bit the right to do that. I do appreciate the comments made by my colleague Senator ERNST moments ago to the effect that this is, in fact, President Biden's fault; this is, in fact, Secretary Lloyd Austin's fault; that this is, in fact, Senator CHUCK SCHUMER's fault. I appreciate that.

Nonetheless, the majority of the remarks that we have heard tonight, this morning, have not suggested in any way, shape, or form that the true call to action really is being directed to President Biden, to Secretary Austin, or to Senator SCHUMER.

We have been asked the question over and over again: Why punish the innocent? Indeed, why punish the innocent? Do you know who is innocent? Babies. Do you know who doesn't have a voice in the Senate? Babies. Do you know who can't speak for themselves? Babies.

You know, a baby doesn't have a name. A baby doesn't have a military rank. A baby doesn't have a professional career upon which to rely, upon which he or she can have people rallying around the baby in defense of that baby's life. It is one of the many reasons why Congress saw fit to adopt 10 U.S.C section 1039: to make sure that the Federal Government didn't contribute to this. The U.S. Department of Defense is supposed to kill America's enemies, not her babies.

Regardless of how you feel about pro-life issues, you have got to accept the fact that Americans, by a margin of three out of four, are not willing to tolerate the expenditure of U.S. taxpayer funds for abortions. This isn't honorable; this isn't noble.

And, no, you cannot conflate this. You can't distract from it. You can't obfuscate the barbarism inherent in this policy simply by referring to the illustrious resumes, to the amazing job qualifications of one-, two-, three-, and four-star Generals.

It doesn't fix the problem, not even for an instant. It begs the question: How many future Generals, how many future Admirals are going to be aborted by this policy, by the Pentagon itself?

Who can't go out and hold a press conference? Well, we are told tonight it is the one-, two-, three-, four-star Admirals and Generals. Babies also can't do that.

My colleagues posited over and over again tonight in a way that I found, frankly, very offensive, that we are somehow afraid to have the credentials of these military men and women read from the Senate floor. If they think that they read us wrong, 180 degrees wrong, we are not afraid of that, not for an instant. Our quarrel is not with them. Our quarrel is with those who would circumvent the law in order to kill children.

Any society that sacrifices babies for the convenience of adults is in for a rough ride. I resent, also, the fact that some on the Senate floor tonight have implicitly challenged our patriotism, our gratitude for our soldiers, sailors, airmen, or marines, even our national security, because we stand behind one man's effort to protect the unborn who can't speak for themselves, who can't fight for themselves, who don't have a name or a military rank to secure their position in life.

We have been told over and over again that these one-, two-, three-, and four-star Generals and Admirals are being punished for something they had nothing to do with. Here again, the same can be said of the babies whose will be snuffed out with the assistance of U.S. taxpayer dollars.

We are told over and over again about how pro-life these speakers are. And I don't doubt that they are, but one minute they are uttering those words, and the very next minute they are accusing Senator TUBERVILLE of jeopardizing our national security or not caring about the families of these individuals.

I am sorry. That is not fair, nor is it helpful for them to dismiss it or passive aggressively suggest: Well, we just have to deal with this. We just have to find a solution. Well, then find one.

Look, I get it. They don't love the tactic he has chosen. It is not the one I chose, not the one they chose. But it is what he has chosen. If they are going to passively aggressively tell him that he has to find another solution to protect the unborn, then they had darned well better direct him to one. But they haven't. The closest they have come is to suggest litigation.

Litigation is of no avail. There is not any plausible existing human who has article III standing to challenge this. And, moreover, even if we could find one—which we can't—this is the kind of insult to the law, the kind of violation of the law, the kind of effort to circumvent the law that is not likely to prevail in the courts. It is almost certainly doomed to it.

So, no, litigation doesn't solve the problem. That is, moreover, just punting to the judicial branch of government something that is a distinctively legislative task. That doesn't do it for me.

The fact that they say over and over again, ''There has got to be a better way,'' if there is one, then help him find it. But don't just tell him he is wrong for standing up for this without giving him a plausible path in a different direction.

Let me outline just a couple of different paths that I think we could pursue—and I would like their help in getting them. I would like to know whether they would be willing to join with us. Why not have Republican Senators say, We are not going to pass the National Defense Authorization Act unless we fix this issue? Why not have them sign up and say, We as Republicans either aren't going to do that, we are not going give another dime to nonmilitary aid to Ukraine or to Gaza or who knows whatever else, unless they fix this problem in statute or unless the Pentagon and the White House withdraw its abortion travel funding policy?

Those are just a couple of ideas. Those are actually productive ideas. And I would love to know whether they would be willing to join the fight in that, whether they would be willing to help us get 41 signatures on a letter committing to do one of those things. Did they offer that tonight? No. They just continue to pay lip service to the notion that this is Joe Biden's and Lloyd Austin's fault and CHUCK SCHUMER's fault, but all the time they are pointing the finger to TOMMY TUBERVILLE. That is not fair. We owe him better than that. We who campaign on the banner of pro-life owe TOMMY TUBERVILLE more than that. We owe the unborn of this country more than that. We can do better. But to do better, we have to actually act.

I am glad that one man in this body is willing to stand up for the unborn, and it is an honor and privilege for me to stand with him.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

MEASURE READ THE FIRST TIME—S. 3343

Mr. LEE. Mr. President, I understand there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The legislative clerk read as follows:

A bill (S. 3343) to provide that United States citizens evacuating Israel shall not be required to reimburse the U.S. Government, and for other purposes.

Mr. LEE. I now ask for a second reading, but in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will receive a second reading on the next legislative day.

Mr. LEE. I yield the floor.

ADJOURNMENT UNTIL FRIDAY, NOVEMBER 17, AT 7:30 A.M.

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 7:30 a.m. on Friday, November 17.

Thereupon, the Senate, at 3:43 a.m., adjourned until Friday, November 15, at 7:30 a.m.

NOMINATIONS

Executive nomination received by the Senate:

THE JUDICIARY

KIRK EDWARD SHERRIFF, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF CALIFORNIA, VICE ANA ISABEL DE ALBA, ELEVATED.

CONFIRMATION

Executive nomination confirmed by the Senate November 15, 2023:

DEPARTMENT OF STATE

ROGER F. NYHUS, OF WASHINGTON, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO BARBADOS, AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE FEDERATION OF SAINT KITTS AND NEVIS, SAINT LUCIA, ANTIGUA AND BARBUDA, THE COMMONWEALTH OF DOMINICA, GRENADA, AND SAINT VINCENT AND THE GRENADINES.