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## Senate

The Senate met at 10:30 a.m. and was called to order by the Honorable RAPHAEL G. WARNOCK, a Senator from the State of Georgia.

### PRAYER

The PRESIDING OFFICER. Our guest Chaplain, Rabbi Peter S. Berg, of The Temple, Atlanta, GA, will offer the opening prayer.

The guest Chaplain offered the following prayer:

Eternal God, may Your Name be invoked only to inspire and to unify our country but never to divide it.

We ask Your blessings upon our U.S. Senators and all who serve this body, that today and every day, they lead wisely and with civility, working together for our common good.

Tonight, Jews all around the world will light the sixth candle of Hanukkah. We will do so in a world that is teeming with xenophobia and hatred. Let us never forget that this is a time of year where we all bring light and hope to despair and to darkness.

Be with us now, God. Make us strong to do Your will. Help us to understand and proclaim the truth that not by might and not by power, but by our spirit alone can all of us prevail. Let injustice and oppression cease, hatred and cruelty and wrong pass away.

Bless, O God, the lights of this season. May they shine their radiance in this historic Chamber. They kindle within us the flame of faith and of zeal that, like the Maccabees of old, we bravely battle for Your cause.

May our Senators be blessed today to use their God-given light to chase away the darkness. Let us resolve to do our share to hasten the day by taking a true measure of life, by learning to face life, to judge the challenges that are set before us with realism, with courage, and with understanding.

These things we ask in Your Name, O God, until the radiance of peace and righteousness for all of God's children shines to the ends of the Earth. Amen.

### PLEDGE OF ALLEGIANCE

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

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

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The senior assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, December 12, 2023.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable RAPHAEL G. WARNOCK, a Senator from the State of Georgia, to perform the duties of the Chair.

PATTY MURRAY,  
President pro tempore.

Mr. WARNOCK thereupon assumed the Chair as Acting President pro tempore.

### RESERVATION OF LEADER TIME

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

### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

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

The senior assistant legislative clerk read the nomination of Harry Coker, Jr., of Kansas, to be National Cyber Director.

The ACTING PRESIDENT pro tempore. The Senator from Georgia.

WELCOMING THE GUEST CHAPLAIN

Mr. OSSOFF. Mr. President, thank you for the recognition this morning.

It is a pleasure to be with you, Mr. President, here this morning as we, together, represent the State of Georgia, an obligation that we both cherish, an obligation I cherish sharing with you. And it is a pleasure to be with you here, Mr. President, this morning to open the Senate, having heard such a moving prayer and such words of wisdom from Rabbi Peter Berg of The Temple in Atlanta, GA.

Rabbi, on behalf of the U.S. Senate, we thank you for taking time out of your busy schedule tending to your congregation and providing light and inspiration to our constituents in Georgia to provide such wisdom and a blessing to those of us here in this Chamber who labor each day to do the work of the people and to advance the interests of the United States.

I thank you, Rabbi Berg, for your leadership at this moment of trial for Jewish Americans in Georgia, across the country, and for Jews around the world at this moment that frays the bonds between faith communities. I thank you for your interfaith leadership, for your consistent calls for solidarity, compassion, and mutual love and respect between all people of all faiths.

It is particularly fitting, Rabbi, that you joined us during Hanukkah. And, Mr. President, to have Rabbi Berg here as we approach the sixth night, during this moment when so many Jews feel such anxiety and fear amidst the overt expression of anti-Semitism such as we have not seen for a generation, we draw upon the Hanukkah story—one of endurance and resilience and survival—for inspiration, a story that can inspire all people of all faiths.

Finally, Mr. President, I would note, as you and I together represent the State of Georgia—for the first time in

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its history represented by a Black man and a Jew—that to have Rabbi Berg here representing The Temple's civil rights commitments in history—The Temple, which in 1958, as you know, Mr. President, was bombed by White supremacists in an attempt at vengeance for Rabbi Jacob Rothschild's alliance with civil rights leaders and Dr. King in the American South—it is particularly powerful to have Rabbi Berg here with us this morning.

He leads, of course, the congregation where I was bar mitzvahed. We are grateful for Rabbi Berg's spiritual leadership.

I yield the floor.

The PRESIDING OFFICER (Mr. OSSOFF). The Senator from Georgia.

Mr. WARNOCK. Mr. President, it is my honor and joy to join you in welcoming our good friend Rabbi Peter Berg to the U.S. Senate today.

Rabbi Berg, thank you so very much for your inspiring prayer. It lifts, before all of us, our highest ideals and reminds us of the important work that we are called to do together.

It is always great to see you. As I often say, every Baptist preacher needs a rabbi. And Peter Berg is not only the rabbi at The Temple; he is my rabbi. And he is my friend.

For more than 15 years, Rabbi Berg has led The Temple, Atlanta's largest and one of its most historic synagogues. Its history is so very important not just for Atlanta's Jewish community but for my own church, the Ebenezer Baptist Church, where Dr. King served and, indeed, for the entire city of Atlanta. You are such an important leader in our country.

For more than 50 years, Atlanta's Ebenezer Baptist Church, led by Dr. King, has had a special relationship with The Temple. After Dr. King won the Nobel Peace Prize, some folks in Atlanta didn't want to celebrate it. They weren't certain that that was worthy of recognition. But it was Rabbi Jacob Rothschild, The Temple's then-senior rabbi and a champion for civil rights himself, who helped to bring the city together to commemorate that important moment in the movement for Georgians. It was an interracial dinner, and that, in and of itself, was a movement forward at a time of deep divisions and some of the darkest hours of our country.

And the special relationship has sustained to the present day, where Rabbi Peter Berg, who is the fifth senior rabbi in The Temple's history, and I, the fifth senior pastor in the history of Ebenezer Baptist Church, have carried on that tradition of ecumenical, spiritual friendship. And that friendship is genuine.

As you know, Rabbi, we have done a lot of important work together, and I am so grateful for the long history of friendship between our two congregations. This past March, I was honored to have you to serve as the guest preacher for Ebenezer's 138th anniversary, and you preached with all the fire of any Baptist preacher I know.

In fact, every year, our congregations come together to observe the MLK holiday, and we worship and we work together as one beloved community.

But beyond the doors of your congregation, Rabbi Berg has been a stalwart champion for change in Georgia. He and I have served together on too many occasions to count—from the Georgia Early Education Alliance for Ready Students to Faith in Public Life, Faith Forces Against Gun Violence, the Georgia Interfaith Public Policy Center; our work together addressing the issue of mass incarceration in our country; standing up against bigotry, racism, anti-Semitism, Islamophobia. Wherever hatred rears its ugly head, we have spoken time and time again together, as one voice. And because of that intersection of faith and justice, you will see Rabbi Berg and you will hear his voice time and time again.

We don't have enough time for me to run through all of Rabbi Berg's accolades, of which there are many. Time and time again, he has been recognized as one of the most influential spiritual leaders in our State and in our Nation.

So on behalf of the State of Georgia, I join Senator OSSOFF in uplifting our appreciation for Rabbi Berg, who has been a source of counsel and a partner in making what Congressman Lewis called "good trouble."

And so during this season of Hanukkah and during this season of Advent, I lift the words of Isaiah, who said that "the people who walked in darkness have seen a great light."

May our lights continue to shine in this world.

Rabbi Berg, I am so blessed to have you as a spiritual brother.

With that, I yield floor.

RECOGNITION OF THE MAJORITY LEADER

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

UKRAINE

Mr. SCHUMER. Mr. President, earlier this morning, Senator MCCONNELL and I welcomed Ukrainian President Zelenskyy to the U.S. Senate, his third visit to the U.S. Capitol. It was a very powerful, enlightening, and positive meeting.

President Zelenskyy's message was direct: Ukraine will win the war against Russia if more aid is approved. But his message to the contrary was also true: If no more aid is approved, Putin will win.

It is that simple. Ukraine, the West, the U.S. strength as a credible ally are all hanging in the balance right now. Also, President Zelenskyy urged that we need to pass this aid quickly because if we don't pass it quickly, it will send a signal to the whole world that we are abandoning Ukraine and could start a snowball cascading to Ukraine's detriment and to our detriment.

If Ukraine falls, it will be a historic and colossal tragedy. If Russia is victorious, future generations will remember this as a moment of shame for the

West, for the United States, and for those in the Senate who sought to block it.

This is a moment when a friend in need called on our help. We must rise to the occasion. If we abandon Ukraine to the dark forces of autocracy, we will all pay a price. The price won't be tomorrow, meaning next week, but it will be in the months and years ahead but will be an awful price. And everyone who voted against aid to Ukraine will have to live with it.

This is a time for Republicans to be serious about reaching an agreement. "Serious" is the word we are saying to our Republican colleagues. It is not a time for one side to demand maximalist, fringe policies that they know are unrealistic and then say "our way or the highway."

If our Republican colleagues want an agreement on the border, they must meet us at the middle. They need to show us they are serious. So far, when they just ask for H.R. 2—or something like it—they are not showing seriousness.

There are two words to describe Democrats right now. Just like the Republican word should be they need to be "serious," the two words that describe Democrats right now: "still trying." We are still trying to find a good-faith compromise with Republicans, but they must do the same.

Now, last night, I got on the phone with Speaker JOHNSON and urged him to keep the House in session to give the supplemental a chance to come together. I told him that the House should stay in session because over the past 24 hours, I have been alarmed to see some of the same Republicans in the House—and now a good number in the Senate—who had previously demanded action on the border are now suggesting there is no urgency to act before Christmas. After months of saying the border is a crisis, that we must get something done yesterday, many Republicans now seemingly prefer to go home rather than pass a bill.

If Republicans are serious about getting something done on the border, then why are so many of them in such a hurry to leave for the winter break? Has the border simply been an excuse to kill funding for Ukraine?

By Republicans being unwilling to budge on H.R. 2 and getting ready to rush out of town, unfortunately, it may seem the case that these are both excuses, and they really want to kill funding for Ukraine and never had any intention of passing it. That is not true of all Republicans but too many—enough simply to hold us up right now from getting something done.

Do Republicans not realize how thrilled Putin must be right now seeing the gridlock? Russian state TV is even running segments on how great it is for Russia that Congress can't pass Ukraine funding.

Think about that. Putin's allies on Russian state TV are running segments right now on how great it is for Russia that aid to Ukraine is stalled.

Democrats remain committed to finding a realistic, bipartisan agreement on securing the southern border. We will not accept Donald Trump's cruel border policies as envisioned in H.R. 2, which even Speaker JOHNSON has reminded his colleagues didn't get a single Democratic vote in the Senate. But if Republicans show they are serious about meeting us in the middle, we are willing to meet them in the middle.

I hope my Republican colleagues take to heart President Zelenskyy's warnings: The one person happy right now about the gridlock in Congress is Vladimir Putin. He is delighting in the fact that Donald Trump's border policies are sabotaging military aid to Ukraine.

I urge my Republican colleagues to show they are serious about getting a supplemental package done. Democrats are still trying, and we will continue to work with Republicans in good faith in the coming days.

#### NATIONAL DEFENSE AUTHORIZATION ACT

Mr. President, now, on the NDAA, the Senate will move forward on the annual Defense Authorization Act, moving us closer to passing this bill for the 62nd year in a row.

Both sides have done terrific work these past few months getting the NDAA over the finish line. The Senate passed our version of the NDAA with a strong 86-to-11 vote back in July. That is a good bipartisan vote, majorities of both parties supporting it. And over the past few weeks, conferees have done commendable work reconciling the Senate and House version. And I am pleased that the conference has reported a strong defense bill that contains many of the policies the Senate passed back in July.

We are making major strides to outcompete the Chinese Government by approving President Biden's trilateral U.S., U.K., and Australia nuclear submarine agreement. This historic agreement will create a new fleet of nuclear-powered submarines to counter the Chinese Communist Party's influence in the Pacific. And AUKUS, in general, will be a critical part of ensuring stability in that region. We have worked all year long to get it passed through Congress, and I applaud my colleagues on both sides for their efforts.

As I have said repeatedly, we began the month of December with three major goals here in the Senate before the end of the year: First, we had to end the unprecedented monthslong and destructive blockade of hundreds of military nominees. We have done that. Second, we needed to pass the NDAA as we have for decades on a bipartisan basis. We are on track to do that this week. And, finally, most difficult of all, we must reach an agreement with Republicans on the national security supplemental.

Democrats' attitude on the supplemental can be boiled down two words: We are "still trying." We want to get something done. We hope our Repub-

lican colleagues are serious—serious—about getting something done too.

#### INFLATION REDUCTION ACT

Mr. President, on the Inflation Reduction Act accomplishments, this morning, the American people received more proof that the Biden and Democratic agenda is working.

The Labor Department reported today that year-over-year inflation in November slowed down to 3.1 percent. At the beginning of this year, it was more than double, at 6.4 percent.

And remember, last summer, before we passed the Inflation Reduction Act and the CHIPS and Science Act, inflation was over 9 percent—from 9 percent all the way down to 3.1 percent. We have made big progress. Meanwhile, the labor market remains strong. Jobs are up, higher than they were before the pandemic. And listen to this: Investment in manufacturing construction—manufacturing construction, plants that will turn out goods that we can consume here and export—is at a 20-year high, more than double its highest under the previous administration.

There is a lot of talk from the previous President about jobs. He did very little. This administration, with what we have done, is really producing jobs, jobs, jobs.

No one should be surprised. Thanks to the Democratic work on the IRA, 2023 has been a banner year for American job creation and for American manufacturing; at the same time, getting inflation and the costs to American families down.

In 2023, dozens of companies have announced new investments in the United States, resulting in hundreds of green new clean energy projects and creating tens of thousands of new, good-paying jobs.

And that is just 2023. The Inflation Reduction Act is projected to create another 1.5 million jobs over the next decade.

According to the White House, private companies have announced more than 600 billion in investments across the country, many spurred by the IRA—the Inflation Reduction Act.

And it is not just through manufacturing that the Democratic agenda is paying dividends. In a few short weeks, seniors, for the first time, will have a cap on how much they pay for prescription drugs, thanks to the Inflation Reduction Act.

This is life-changing news for seniors across the country. Never again will a horrible diagnosis mean \$10,000 or more to get the drug you need to survive. Thanks to the Inflation Reduction Act, insulin is also capped at \$35 a month for seniors on Medicaid, and vaccines are now free.

Let me repeat that. Vaccines are free, improving healthcare across America and helping people be healthy without having to pay for it, in terms of things they can't afford.

Drugmakers are penalized if they raise prices faster than inflation. The

administration is negotiating right now for better prices for 10 of the highest cost, most commonly used drugs in Medicare.

And because ACA premiums are becoming more affordable, this year we are seeing a record number of Americans sign up for healthcare on the individual marketplaces.

It takes a lot of work, but the Democrats' agenda is paying off. Costs are coming down. Jobs and opportunities are going up. And while there is a lot of work to do, the American economy is on the right track.

I yield the floor.

I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

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

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

#### RECOGNITION OF THE MINORITY LEADER

The Republican leader is recognized.

#### UKRAINE

Mr. MCCONNELL. Mr. President, this morning, the Senate welcomed Ukraine's inspirational and determined President Zelenskyy to the Capitol.

For nearly 2 years, the people of Ukraine have defied the world's expectations. They have ground down the world's second most powerful military, and they have confounded Putin's aggressive, imperialist aspirations. At every step of the way, America's commitment and support has provided critical fuel for Ukraine's resistance and helped European allies wake up from a holiday from history.

Now, our allies are awake. They are investing in collective defense, and clear majorities of Americans understand the importance of America's continuing to lead as the arsenal of democracy.

I have been a staunch supporter of Ukraine's fight to take back its land, liberate its people, and restore its sovereignty since the beginning of Russia's invasion way back in 2014. Our Ukrainian friends' cause is just, and if the West continues to stand with them, they can win.

But let's be absolutely clear: Ukraine's cause hasn't always been popular here in Washington.

In 2021, Republicans recommended that the Biden administration step up assistance to help Ukraine deter renewed Russian threats, and the administration seemed to think Ukraine was a frozen conflict and a distraction from other priorities. In early 2022, as the gravity of Putin's plans came into focus, Republicans urged the President to expedite shipments of critical weapons systems to stop Russia's advance, but his administration's unfounded fear of escalating the conflict repeatedly kept decisive capabilities out of Ukrainian hands at critical moments.

When Russian troops crossed the border and the administration first came

to Congress for assistance, it was Republicans who demanded we use emergency funds to pay for the cost of deploying U.S. forces to Europe rather than forcing our military to take those costs out of hide.

And it was Republicans who demanded that our supplemental appropriations bills include funding to replenish and modernize the stockpiles we were drawing down to support Ukraine.

Perhaps, they expected the war to be over quickly, but the Biden administration requested neither of these things. In fact, when the Senate received the President's first supplemental request, I called the Democratic leader and said: "Double it." He agreed with my suggestion, and that is precisely what we did.

Republicans on the Armed Services, Foreign Relations, and Appropriations Committees have worked overtime to help equip Ukraine for victory. We have pushed relentlessly for investments that strengthen our Armed Forces, degrade our adversaries, and stand firmly with a sovereign democracy against authoritarian aggression—all while expanding our defense industrial capacity and creating American jobs at the very same time.

We have done it because we know that American leadership has ripple effects. Just look at how our European allies are now contributing more to Ukraine than we are, how allies across the world are investing in hard power and in our collective defense.

We know that the threats we face are intertwined; that Russia, Iran, China, and North Korea work together to undermine America and the West. We know that our border—just like Ukraine's borders and Israel's and Taiwan's—must be inviolable.

That is why, for months now, we have supported supplemental action on all four of the most pressing national security challenges we face. My support for Ukraine and Israel is rock solid. I am committed to preparing the U.S. military to deter and defend Chinese aggression. I am determined to get the national security crisis at the southern border under control. And I am going to work to get it done as long as it takes.

#### **PRESCRIPTION DRUG COSTS**

Mr. President, now, on another matter, last week the Biden administration announced the latest front in its push for prescription drug socialism: march-in rights.

Here is what it means. Washington bureaucrats are claiming the authority to determine price ranges for drugs funded through public-private partnerships. And if these unelected regulators decide that a company has set its price too high, they will steal the company's intellectual property rights. In President Biden's own words, "the government reserves the right to 'march in' and license that drug to another manufacturer who can sell it for less."

To make matters worse, the Biden administration claims that the author-

ity for this power grab comes from a 1980 law designed to promote the exact opposite outcome. The purpose of the Bayh-Dole Act was to encourage private-public cooperation to drive new innovations in medicine, not the other way around.

The truth is, incentives matter. If Washington bureaucrats get the final say on how American producers market lifesaving cures, then America will cease to be the world's leading hub of medical innovation.

Why would any entrepreneur invest the time and resources to create a new treatment if the government can simply steal their intellectual property and redistribute it?

Unsurprisingly, the Biden administration is still working out the kinks of prescription drug socialism. But the medical innovation sector can't afford to wait before considering its investments. Neither, for that matter, can a whole host of other industries that rely on public-private partnerships. Just think about what it could mean in fast-evolving areas of technology.

Under the model of prescription drug socialism, the Biden administration is laying the groundwork for government patent seizure on other cutting-edge technologies, from semiconductors to nuclear energy.

America's pipeline of lifesaving cures is the envy of the world. American entrepreneurs and researchers save millions of lives. If President Biden wants to march in on this innovation sector, the bright minds behind it just might decide to take their intellectual property and march out of the American market.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. 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 Republican whip.

#### **NATIONAL DEFENSE AUTHORIZATION ACT**

Mr. THUNE. Mr. President, this week, the Senate will vote on the final version of the National Defense Authorization Act, or NDAA, which is one of the most important bills we consider each year.

We had a robust floor debate on the Senate version of this bill in July featuring the kind of open amendment process we should be using on a regular basis to debate important legislation. All told, more than 900 amendments were considered, and 121 amendments were adopted during floor consideration, making this the most open NDAA floor debate in years. I wish we had been able to take up a final version of this legislation earlier, but I am glad we are on track to finally pass it this week.

I have said it before, and I will say it again. If we don't get national security right, the rest is conversation. The se-

curity of our Nation is the precondition for everything else—for the continued enjoyment of our freedoms, for a flourishing society, for a healthy economy, for government's ability literally to do anything. So there is no time when we can afford to let our readiness slide or to take the security of our Nation for granted.

But the unfortunate truth is that we have some catching up to do when it comes to military preparedness. We have military services that are well below their recruitment targets. We are behind on shipbuilding and ship maintenance. There is a persistent pilot shortage, and in a number of cases, we have too few mission-capable aircraft. We are not doing an adequate job of maintaining the kind of supply we need of certain munitions. And the list goes on.

This is not an acceptable situation, and it could have very serious consequences. To give just one example, recent war games envisioning a U.S.-China conflict following an attack on Taiwan have had grim results, showing enormous military and economic costs to both sides. One story on these war games noted:

And while the ultimate outcome in these exercises is not always clear—the U.S. does better in some than others—the cost is [clear]. In every exercise the U.S. uses up all its long-range air-to-surface missiles in a few days, with a substantial portion of its planes destroyed on the ground.

In every exercise the U.S. uses up all its long-range air-to-surface missiles in a few days, with a substantial portion of its planes destroyed on the ground.

Well, needless to say, we have some serious work to do, and I am pleased to report that this year's NDAA does make some genuine progress on the readiness front. The bill expands the Pacific Deterrence Initiative and deepens our ties with our ally Taiwan to help detour Chinese aggression. It rejects the President's dangerous plan to shrink the U.S. Navy and authorizes investment in new ships. It contains multiple measures to increase our supply of munitions, including the addition of six critical munitions to the Pentagon's multiyear procurement program. Two of these munitions—Tomahawk missiles and Mark 48 torpedoes—play an important role in our ability to deter China.

I am also pleased that the committee responded to my request and included significant funding for joint air-to-surface standoff missile procurement, the long-range anti-ship missile, and development of the nuclear long-range standoff weapon, or LRSO. These are essential arrows to have in the quiver for our bombers, and the future LRSO will help modernize the air leg of our nuclear triad.

This year's NDAA also critically invests in recruitment. As I mentioned earlier, we have multiple military services that are well below their recruitment targets. These represent serious future personnel deficiencies. All the ships, planes, and munitions in the

world will be of very limited help if we don't have the personnel necessary to deploy these resources. So expanding and improving our recruitment efforts has to be a priority.

We also have to continue to work to improve the quality of life of our military members and their families, which is why I am pleased to report that this year's bill includes a 5.2-percent pay increase for our troops, as well as measures to improve barracks quality and expand access to mental health care, among other things.

I am also pleased that this year's NDAA takes measures to keep our military's focus warfighting and not the dissemination of woke ideologies by Pentagon bureaucrats.

Above all, I am proud to report that this year's bill authorizes full funding for the next steps of the B-21 mission, the Air Force's new, long-range, strategic bomber, which will revolutionize our long-range strike capabilities and be hosted at South Dakota's own Ellsworth Air Force Base. The Air Force calls the B-21 Raider the future backbone of its bomber force.

One of my top priorities here in Congress over the past several years has been ensuring that the Air Force—and Ellsworth in particular—has everything it needs for this critical advancement in our Nation's readiness. This year's NDAA will once again fund not only the B-21 bomber, which we excitedly saw take flight 1 month ago, but the support facilities at Ellsworth that will be needed to maintain this aircraft once it enters service.

While, as I said, we are passing this bill a little late, I am pleased that we are finally passing it and in what I expect will be a strongly bipartisan fashion.

#### BORDER SECURITY

Mr. President, now we should turn to addressing another important aspect of our national security in a bipartisan fashion, and that is securing our border. The kind of unchecked illegal immigration we are currently experiencing at our southern border represents a serious national security threat—one that so far Democrats are refusing to meaningfully address. I hope that their position will shift in the coming days and that we will be able to work together to pass a supplemental bill which not only provides support for our allies but which also contains real measures to secure our border. The NDAA should not be the only national security legislation that we pass this December.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### DASH ACT

Mr. WYDEN. Mr. President, I got back late last night from Oregon—another round of community meetings. You can't do your job well sitting behind your desk back here; you have to get out into the community. I have had more than 1,000—really more than 1,060—open-to-all townhalls, in every corner of Oregon, and I am going to talk for a few minutes about the issue I hear about constantly, and that is the shortage of affordable housing for working families.

I am going to talk about what it means for my constituents, but I will tell you, I hear about it all across the country and from Senators on both sides of the aisle. I have just introduced legislation with the distinguished Senator from Alaska, Senator SULLIVAN, about housing that is affordable for working families. Ask the New Hampshire Senators about employers and workers facing housing challenges there. Ask those from Kansas what is going on in Kansas City, where they can't house teachers. Oregonians from Brookings to Baker City are facing rising rents and housing costs and are making tough financial choices. They ought to have enough money because they are working hard to pay for affordable shelter.

Here is a statistic that will give you a sense of what the challenge is all about. In my State, 26 school districts have been forced to buy, rent, or build housing for their teachers. So get this, Mr. President—and we are westerners, and we understand this. We know we have a lot of challenges competing in tough markets. We have a leg up geographically with Asia, for example, on the west coast, but we are losing it if we don't have affordable housing for working families, for firefighters and teachers.

Folks, the minority community has said: We are trying to start small businesses on a credit card, and we can't afford shelter.

In Oregon, these school districts—more than 20 of them—are now basically in the housing business. How in the world—I see my friend from Alaska is here. We have been talking about these issues. It is wonderful to work with him on it. How in the world did our schools suddenly get in the housing business? I guess in some places they are going to in effect rent houses they bought to teachers, and the teachers will practically be back, I say to my friend from Alaska, in their college days. They will be waiting to use the washing machine in line with other teachers.

So I just don't think it is right that all our school districts have to get into the housing business—by the way, there was a front-page story in the Wall Street Journal here not long ago about the same sort of thing in Kansas City.

I have introduced comprehensive legislation as chairman of the Finance Committee to tackle this issue. It is

called the DASH Act—the Decent, Affordable, Safe Housing for All Act. Today, we are just going to focus on one piece, which is affordable housing for working families.

Senator SULLIVAN and I have teamed up here in the Senate. I am very pleased that our bill is bipartisan and bicameral.

I am very pleased that our bill is bipartisan and bicameral. Representatives JIMMY PANETTA and MIKE CAREY are offering the same kind of tax credit that Senator SULLIVAN and I are offering for working families, and our proposal is built on the proven and successful—what is called LIHTC—low-income housing tax credit.

My view is that the combination of LIHTC, plus the help that Senator SULLIVAN and I and our counterparts in the House want to advance—those two efforts—could spur a juggernaut of new and desperately needed housing construction. Our bill could be a big shot in the arm to the countless middle-income Americans hoping to get their shot at the American dream of owning a home.

I want, as we get into this issue of working families, to make sure that everybody understands that we are also recommitting our support to the existing programs that help the homeless and help folks of modest incomes, like LIHTC. These are people who, every week, walk an economic tightrope. They are balancing the food bill against the fuel bill and the fuel bill against housing costs. We desperately need more LIHTC funding, and as chairman of the Senate Finance Committee, I am going to continue to push that.

But I don't think the two needs here for working families and low-income folks are mutually exclusive. We can do both. We ought to do both. Our country is not at its best when we pit working families against people of modest means. We ought to be extending opportunity for all Americans.

I will just say—and I am going to yield to my friend from Alaska—that small businesses across my State—and I heard it yesterday again at our business summit in Portland—can't grow because employees can't afford housing. Even when they have good-paying jobs, families are forced to search for months for reasonably priced properties, only to be up against several other families in similar circumstances and contending for the same property.

So we are going to continue to try to build on the progress of LIHTC. My hope is—and I had a good talk just this morning with the chairman in the other body, Chairman JASON SMITH of the Ways and Means Committee, my counterpart. We had a good conversation about the effort to get help for kids with what is called the child tax credit, and an equal amount of help for the research and development tax issue for innovation so we can outcompete China. We made good progress just in the last week, Chairman SMITH and I,

in looking at the numbers and the various ways in which we can ensure that an equal amount of assistance—an equal amount of assistance—goes for the child tax credit and the research and development tax credit.

One of the reasons I was so pleased to be able to come to the floor this morning and talk with my colleague from Alaska is I think we also ought to be talking about, on top of—and I use those words—an agreement that is proportional in assistance for the child tax credit and for the research and development tax credit. I think, on top of that, we ought to give a boost to housing, particularly the low-income housing tax credit, which has gotten significant support from my colleague from Washington, Senator CANTWELL, and a number of Republicans as well, and we should include such a housing effort—on top of a child tax credit and a research and development-innovation package, help on housing—and make them all bipartisan.

I see my friend from Alaska here. I thank him for his cooperation.

I will just say, in closing, no community is immune from the skyrocketing cost of housing. Democrats aren't usually supposed to use this word, but I will tell you I am a supply-sider on housing. We need to increase supply, and on that, Senator SULLIVAN and I are working together.

I yield the floor to him.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. SULLIVAN. Mr. President, I want to begin by offering my sincere thanks to the chairman of the Finance Committee, my friend Senator WYDEN of Oregon. I am honored to be on the floor with him today to talk about these housing issues and this really important bill, the Workforce Housing Tax Credit Act, which, as he already mentioned, is bipartisan and bicameral.

As Senator WYDEN already mentioned, our country is facing a lot of challenges right now: inflation, fentanyl coming through our borders, national security threats all over the place overseas. But it is very obvious, and anyone reading the paper knows, that we are also experiencing in rural and urban America a severe housing crisis. Everywhere I travel in the great State of Alaska, I hear from Alaskans reeling from the scarcity of housing, and it is everywhere—Anchorage, Fairbanks, Sitka, Ketchikan, Kodiak—every single small rural village in my State. It is everywhere.

I know it is a big challenge in Oregon, but it is a big challenge all over the country, and it is a challenge that impacts low- and middle-income families. It stands as a stark obstacle to getting and keeping jobs, to having a family, to building communities. This is really foundational stuff in terms of what matters in communities—housing.

So solving this challenge has been one of my top priorities, and I really

want to thank Senator WYDEN and his team for being so patient in working with us—a really good partner here. This is going to take all kinds of solutions. There is no silver bullet here. It is going to take everybody pulling on the same oar—the Feds, State, private sector, Tribes, nonprofits—but this is an important start.

I actually hosted the Secretary of Housing and Urban Development, Marcia Fudge, in Alaska this past August. We held a roundtable and some meetings on urban housing issues and on rural housing issues. It was very well attended. I want to thank all of the Alaskans who took part. They weren't shy with Secretary Fudge—she got an earful—and there is a whole host of things we are going to follow up on with her: challenges dealing with overregulation from HUD, homelessness definitions, housing formulas for cities. But it was progress our getting her up to Alaska.

So this is progress. This is progress. What Senator WYDEN and I have introduced is an exciting and creative bill that will broaden a tried-and-true Federal tax incentive program—the low-income housing tax credit.

This all started during the 1980s, during the Reagan administration. It is market-based. It is private sector-focused. It is a proven, successful formula that will help catalyze the private sector to build more housing in urban and rural areas for working families. That is why we actually named it the Workforce Housing Tax Credit Act. Teachers, law enforcement, first responders, nurses, healthcare officials, electricians—the backbone of so many communities—are, right now, priced out of the market to buy a home. Expanding the low-income housing credit will help address the core issues of not just homelessness and overcrowding in many places in Alaska, particularly in rural Alaska, but it will empower hard-working Alaskans to stay in our communities and build a more robust workforce.

Now, sometimes, when you bring legislation down on the Senate floor, you are not sure who is going to support it. Well, I am very proud to say that, back home in Alaska, this bill has enormous support—liberals; conservatives; mayors; our Governor; the mayor of Anchorage, our biggest city; the chair of the Anchorage Assembly. I know these guys really well. They don't really get along on much, but they support this bill. We have Tribal groups. We have private sector groups. We have home builder groups. It is a super big list.

I think that is the signal for Senator WYDEN and me that we are on to something here. We are on to something here. If there aren't homes in communities for hard-working families, then entire communities are shut off for growth. Housing is a catalyst for community and economic development and good jobs and pride in where you live.

This bill offers one solution that will actually lead to the construction of

these kinds of housing developments. How do I know that? How can I say that? Because, as the chairman of the Finance Committee already said, we know this works. The low-income tax credit already works. We know that, and we are building on that program in the best way to ensure that the private sector will actually use this program to break open other bottlenecks for economic development.

Importantly, this bill provides flexibilities to States and developers to decide what is best for their communities. It is not a one-size-fits-all Washington mandate. We don't like those in Alaska. As I mentioned, it has broad support—bipartisan, bicameral.

Once again, to my friend from Oregon, I really want to thank Senator WYDEN. He was very patient with me and my team as we had a number of edits. We were trying to make sure that this would work for America and Alaska. Sometimes, my State has some really unique challenges, and he accommodated so much and was very patient with us. You can tell, again, from the reaction of this broad-based group of stakeholders back home in my State, that this has a lot of support.

So I thank Senator WYDEN again. I look forward to working with him and my colleagues on both sides of the aisle in getting this over the goal line and addressing one of the big challenges in America that, I think, impacts every State in the country. This is one of the many tools we will use to try to address it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. I will yield very quickly to Senator PETERS after I wrap this up.

Mr. President, first, I want to thank Senator SULLIVAN again for giving us a chance to bring housing, in a bipartisan way, to the Senate floor and just to tell colleagues there is an opportunity to do something really big here in the U.S. Senate.

I just got off the phone again with the chairman of the Ways and Means Committee in the other body, my counterpart. We are making good progress in the effort to make sure that there is a child tax credit and a significant boost to research and innovation in this country. They have to be proportional. We have made that clear. That is the essence of a good and fair agreement.

Now, Senator SULLIVAN and I and our colleagues who are advocating for LIHTC are getting an opportunity to also discuss building upon that and taking some steps to ensure that there is housing for working families and for low-income folks.

I thank my colleague from Michigan for the chance to close this discussion up.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. PETERS. Mr. President, I ask unanimous consent to speak for up to 4 minutes prior to the vote.



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

#### NOMINATION OF HARRY COKER, JR.

Mr. PETERS. Mr. President, I rise in support of Harry Coker's nomination to be the National Cyber Director. The National Cyber Director is responsible for driving cyber security policy and strategy all across the Federal Government.

The Office of the National Cyber Director was established by Congress in 2021 to foster a coordinated, whole-of-government approach to cyber security. Harry Coker is an accomplished leader and a dedicated public servant who is well qualified to lead this important office.

Mr. Coker has over four decades of national security and cyber security experience. He served as a naval officer and in senior leadership roles at the National Security Agency and the Central Intelligence Agency, where he worked to combat cyber and national security threats. His nomination received bipartisan support from the Senate Committee on Homeland Security and Governmental Affairs, and he has been endorsed by a wide range of bipartisan cyber and national security experts.

During the 2 years since the Office of the National Cyber Director was created, the office has done impressive work, including developing an ambitious national cyber security strategy and national cyber workforce and education strategy. The Office of the National Cyber Director has been without a confirmed leader for almost 10 months. A dedicated, Senate-confirmed leader is critical to building upon these efforts and continuing to grow and mature the Office of the National Cyber Director.

I urge my colleagues to join me in confirming Mr. Coker to this very important role.

I yield the floor.

#### CLOTURE MOTION

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

The bill 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. 410, Harry Coker, Jr., of Kansas, to be National Cyber Director.

Charles E. Schumer, Gary C. Peters, Ben Ray Lujan, Tammy Duckworth, Margaret Wood Hassan, Jack Reed, Angus S. King, Jr., Michael F. Bennet, Robert P. Casey, Jr., Tim Kaine, Chris Van Hollen, Mazie Hirono, Richard Blumenthal, Benjamin L. Cardin, Richard J. Durbin, Jeanne Shaheen, Sheldon Whitehouse, Mark Kelly.

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

The question is, Is it the sense of the Senate that debate on the nomination of Harry Coker, Jr., of Kansas, to be

National Cyber Director, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. THUNE. The following Senator is necessarily absent: The Senator from Indiana (Mr. YOUNG).

Further, if present and voting: the Senator from Indiana (Mr. YOUNG) would have voted "yea."

The yeas and nays resulted—yeas 59, nays 40, as follows:

#### [Rollcall Vote No. 337 Ex.]

##### YEAS—59

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

##### NAYS—40

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

#### NOT VOTING—1

Young

(Mr. HICKENLOOPER assumed the Chair.)

The PRESIDING OFFICER (Mr. LUJAN). On this vote, the yeas are 59, the nays are 40.

The motion is agreed to.

The Senator from Montana.

Mr. TESTER. I ask unanimous consent to be allowed to speak up to 15 minutes.

The PRESIDING OFFICER. Without objection.

#### NATIONAL DEFENSE AUTHORIZATION ACT

Mr. TESTER. Mr. President, this is supposed to be the greatest deliberative body on earth. This body is supposed to be a body that works for the American people and exemplifies what the greatest Nation in the world should exemplify and lead in that vein.

I rise today to highlight that we are not living up to expectations. I want to highlight the very real consequences of this body's failure to deliver a Defense appropriations bill that would provide urgently needed resources to our men and women in uniform and keep this country safe.

As most folks know, I am a farmer. We are getting winter underway, and I

am planning for what I am going to plant next spring in the fields. I will tell you that when spring planting time comes, I will have to do that job. And I will work 24 hours a day, 7 days a week, to get that job done. Because if I don't, I lose the farm—literally. If I don't tend to business, I go broke.

I want you to take a look at this body. We should have had a Defense bill, Defense appropriations bill, done the end of September, 3 months ago. And instead, we did a continuing resolution, then we did another continuing resolution, then we did another continuing resolution—keep kicking the can down the road. And the result of that is uncertainty, and the result of uncertainty is putting this country at risk.

By the way, what I do on the farm is what people do every day in their businesses. And folks who go to work, they don't throw in the towel at any moment in time because they can't. They have to stick around. They have to get the job done. We need to follow our constituents' lead.

I serve as chairman of the Senate committee that works on that military appropriations. I have been working with Republicans and Democrats for months to make sure that we have an appropriations bill that invests in the United States of America; that makes sure we stay ahead of our pacing threat, China; that we defend our country from foreign adversaries; and we take care of our servicemembers and their families.

That Defense Appropriations Committee came together, and we produced a strong, bipartisan appropriations bill in the Senate that meets the needs of our military. That bill passed through committee months ago. In fact, it passed back in July by a vote of 27 to 1. Of course, it was a bipartisan vote.

What that bill did was it included a 5.2-percent pay raise for our troops; it significantly ramped up production of made-in-America defense systems; it modernized our nuclear weapons programs; it accelerated investments in modernization to make sure that we, the United States of America, stays ahead of the countries that want to harm us and threaten our way of life.

Let me be frank. This bill should have been passed by the House and the Senate back in September. If that had been done, we would not be talking here in the middle of December about taking up a bill in February to keep this country safe.

Instead, we lurch from one potential shutdown to another potential shutdown.

Right now, the military is running under last year's budget, a continuing resolution that expires on February 2. Now I am hearing a number of folks talking about the fact that we do not need an appropriations bill for this year; that we will just run off the old bill. Quite frankly, it is stupid, and it is dangerous. Let me give you the consequences of continued inaction because they are serious.

Failure to deliver an appropriations budget for our defense emboldens our foreign adversaries—that is a given—and we are already seeing that play out before our eyes. After the horrific attacks of October 7, carried out by Hamas, the Defense Department ordered an additional aircraft carrier strike group, air defenses, fighter jets, and troops to the Middle East to prevent this conflict from spiraling into a regional war. But because of this body's dysfunction of not being able to deliver a defense appropriations bill on time, the Pentagon has no money to pay for this bill. As we speak, our Defense Department is hunting for literally hundreds of millions of dollars to cover these costs, and it is pulling money away from other critical operations.

It also leaves our men and women in uniform without the certainty and the resources they need to protect our freedoms both abroad and here at home. In my case, it is the brave air men and women serving at Montana's very own Malmstrom Air Force Base. The men and women of the 341st Missile Wing operate our ICBM missile fleet. These missiles are over 30 years old and need to be replaced. The silos that they sit in are over 60 years old. They need to be replaced, but without that appropriations bill, this program will continue to be delayed because of our dysfunction.

Folks, the American military is being weakened across the air, land, and sea because we are failing to provide the predictability of the delivery of assets. For anybody who has ever been in business, you know that predictability is critically important. Without predictability, your chance of losing profits is huge. Well, we are talking about a little different thing here. We are talking about the defense budget, and without predictability, we are talking about some 300 programs that are going to be impacted because they don't know where the money is going to come from.

They can't get started on assembly lines or ramp up production on already approved contracts because there isn't the money to pay for them because we haven't passed our defense budget. That includes things like helicopters. It includes things like B-21 bombers and F-35 fighter jets. It is causing a nearly \$10 billion reduction in our shipbuilding programs, halting the construction of new ships and the maintenance of our current fleet, and delaying the completion of already approved Virginia-class submarines. These delays make this country a less safe country.

It is another blow to our already challenging recruitment and retention efforts. By the way, I might add, with the exception of the Marines, every branch of the service needs more people in our volunteer military, but because we haven't passed a defense appropriations bill, we are, once again, putting manpower at risk. Joint Chiefs

Chairman C.Q. Brown noted that a yearlong continuing resolution would create a \$5.8 billion shortfall in military personnel funding. These are the folks whom we send all over the world—to horrible places—to protect freedom. This is a \$5.8 billion shortfall.

Quite frankly, what does that say for the folks who want to sign up for the military, for those folks who want to volunteer and dedicate their lives to keeping this country safe?

They look at Congress and look at the job we are doing, and they say: Why the hell would I want to do that?

And we wonder why our end-strength numbers aren't where they need to be.

It is a slap in the face to our Nation's veterans—the fact that we can't get a defense appropriations bill done. Why? Because these veterans are relying on this body to deliver a defense appropriations bill that will strengthen TRICARE so that they can get the quality healthcare that they have earned.

But maybe the most disturbing thing about all of this—that we can't get a defense appropriations bill or any appropriations bill done, I might add, in a timely manner—is that some will say: Well, we are going to save money.

That is a joke. This whole charade is going to cost money. It is going to waste taxpayer dollars. We know the longer it takes you to buy something, the more it is going to cost. They know, when you shut down production lines, it costs money to start those production lines back up, and without money, that is exactly what has to happen.

Look, I could go on and on about the damage that a continuing resolution—an extension of last year's budget, a budget that was created when we had no idea of the threats that would be going on now—would do. The fact of the matter is that this Congress isn't doing its job. The greatest deliberative body isn't doing what it needs to do. And what is more important? What is a more important job for us than to keep our country safe? We wonder why our approval numbers are in the toilet. I can tell you. It is because of garbage like this—and it is garbage. They are tired of folks coming back to Washington, DC, and losing track of where they come from.

My point is just like on the farm. We need to stay here weekends, vote nights, and work as hard as we can to get this done because enough is enough. We need to get these bipartisan bills done so that we can keep this country the greatest country on Earth.

#### SUPPLEMENTAL FUNDING

One final thing before I yield the floor: We should be working on a supplemental bill right now to take care of challenges in Ukraine. We heard from Zelenskyy this morning, President Zelenskyy. We need to take care of the challenges in Israel and the humanitarian aid there and military support. We need to take care of the challenges

in the Indo-Pacific and to take care of challenges on our southern border. All of this stuff should have been done months ago, but once again, just like the appropriations bill, there is no urgency. We kick the can down the road, and we put this country at risk.

If we don't wake up and do what we need to do to keep this country safe and be the lead for democracy in the world, what have we become? We should not be leaving here for any holiday—Christmas, New Year's, whatever it is—until we get these supplementals done because we are the greatest country on Earth for a good reason: because we are the greatest country on Earth. Not doing these supplementals takes away from that. We have already done enough damage with the deferred appropriations bills on a CR. We need to go to work. It is that important.

I ask unanimous consent that the letters from Joint Chiefs of Staff C.Q. Brown, Secretary of the Navy Carlos Del Toro, as well as Secretary of the Air Force Frank Kendall, on the impacts of a continuing resolution on our Nation's security as it applies to the Air Force and the Navy and our military, in general, be printed in the RECORD.

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

CHAIRMAN OF THE JOINT  
CHIEFS OF STAFF,  
Washington, DC.

Hon. JON TESTER,  
Chairman,  
Subcommittee on Defense, Committee on Appropriations,  
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for the opportunity to share my view on the impact that a year-long Continuing Resolution (CR) would have on the Department of Defense (DoD) and the Joint Force. In addition to the critical need for Congress to take action to support our allies and partners by passing the President's national security supplemental funding request, the single greatest thing that Congress can do to enable the Department to execute our strategy is to enact a full-year appropriation.

DoD has never operated under a year-long CR; it would be historically costly to the Joint Force. In a CR, the DoD's actual buying power is significantly impacted and degraded. Failing to fully fund the DoD would disrupt important progress made in fiscal year 2023. The National Defense Strategy lays out evolving security challenges, which require the Joint Force to modernize quickly or risk losing our strategic advantage. As I have said previously, we cannot outpace our pacing challenge while under a CR.

A year-long CR would prevent the DoD from executing numerous multi-year procurement contracts that are critical to meeting our requirements in the Indo-Pacific; delay or deny investments in important modernization projects; and create a significant shortfall in personnel funding.

Thousands of programs will be impacted with the most devastating impacts to our national defense being to personnel, nuclear triad modernization, shipbuilding and ship maintenance, munitions production and replenishment, and U.S. Indo-Pacific Command (USINDOPACOM) priorities.

Personnel: A year-long CR would create a \$5.8 billion shortfall in military personnel



funding and exacerbate recruiting and retention challenges. DoD would be forced to delay service member moves and slow recruiting to offset the costs of the 5.2 percent pay raise for the military.

**Nuclear triad modernization:** A year-long CR would delay nuclear triad modernization, including a delay in the procurement of the B-21 Raider and could prevent the award of the second Columbia class ballistic missile submarine.

**Shipbuilding and ship maintenance:** Under a year-long CR, 30 percent (\$9.7B) of the funding in the Navy shipbuilding budget request could not be spent and only one of two requested Virginia class submarines could be awarded. Additionally, a year-long CR would cancel or delay ship depot maintenance availabilities, impacting readiness.

**Munitions production and replenishment:** Under a year-long CR, DoD could not award multi-year procurement contracts to increase production capacity or replenish inventories for munitions critical to INDOPACOM, including long range anti-ship missiles, GMLRs (precision rockets), Patriot air defense missiles, the naval strike missile, and a long-range version of the joint air to surface standoff missile.

**Pacific Defense Initiatives:** A year-long CR would jeopardize \$1.3 billion in investments critical to DoD's INDO-PACIFIC posture including impacts to forward basing, sensor-to-shooter capabilities, long range radars, hypersonic defense, and investments in classified capabilities.

**No new military construction projects:** Military construction projects are, by definition, new starts, so a year-long CR could cause a year-long delay in construction projects intended to modernize our installations and improve quality of life.

Passing a full-year funding bill and the President's national security supplemental request would prevent these devastating impacts. It would also provide funding for critical weapons and equipment for our allies and partners while replenishing depleted DoD stocks and providing for robust investments in the defense industrial base.

We owe our servicemembers the tools they need to be successful. We have asked them to modernize and accelerate the future capabilities they need to continue to deter and project credible combat power. We need full appropriations to stay ahead of pacing, acute, and unforeseen challenges.

I appreciate your continued support for our Joint Force and look forward to our future engagements.

Sincerely,  
CHARLES Q. BROWN, Jr.,  
General, U.S. Air Force.

THE SECRETARY OF THE NAVY  
Washington, DC, December 8, 2023.

Hon. JON TESTER,  
Chairman, Subcommittee on Defense, Committee on Appropriations, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: As the first session of the 118th Congress draws to a close, I write to express my deepest concern that the Department has yet to receive an appropriations funding bill for Fiscal Year (FY) 2024, and is facing the threat of operating under a year-long Continuing Resolution (CR) with potential for sequestration. I urge the Con-

gress to prioritize the national security of our country by passing our annual appropriation bills without further delay.

Today, our Sailors and Marines are postured in the eastern Mediterranean, through the Red Sea, and across in the Indo-Pacific to deter and respond to acts of aggression from Russia, Iranian-backed terrorist groups, and the Communist Chinese Party. Their ability to maintain a forward U.S. presence without interruption, and to maintain a competitive advantage over our adversaries depends upon Congress' approval of the Department's Fiscal Year (FY) 2024 budget request. Should the Congress fail to provide a FY2024 appropriation and instead enact a year-long CR at FY2023 levels, or worse with sequestration, our Navy-Marine Corps team will incur an immediate \$15.2 billion set-back (-5.9%), with impacts in nearly every area. Misalignments from the full-year CR drives that shortfall to \$28 billion:

**People and Quality of Life:** A year-long CR would provide \$2.2 billion less for Service Member pay, housing, subsistence, and relocation, creating hardships for our military families and lowering morale across the force. End strength challenges will be further hampered, as recruiting incentives are reduced and reserve mobilizations are curtailed. Quality of service initiatives to improve living conditions and expand resources for mental health will be blunted.

**Readiness:** A \$4.6 billion reduction in operations and maintenance will inevitably impact our fleet by immediately degrading our ability to operate our ships and aircraft in this uncertain environment. Pre-deployment training and large-scale exercises will be curtailed resulting in less-proficient aviation, maritime, and ground forces deploying overseas. Deferred weapons system maintenance will further limit the capabilities available to the Combatant Commanders. The impacts will continue to be felt in future years, as upcoming deployments will be jeopardized by delaying or cancelling surface ship maintenance at private shipyards, while a hiring freeze would undermine the next generation of workers at our naval shipyards and maintenance depots. Finally, the Department would be forced to significantly reduce sustainment at our bases with reductions in preventive maintenance impacting fire protection systems, utility infrastructure maintenance, and facility condition inspections.

**Shipbuilding:** A \$9.7 billion reduction in shipbuilding and conversion will preclude construction of one Submarine Tender, one Frigate, and two Littoral Combat Units (due to prohibitions on rate of production increase). Funding restrictions will result in higher costs for five ship classes and refueling of one nuclear aircraft carrier, delaying both construction work and material/warfare systems procurements. For Virginia-Class Submarine, only one of two ships requested could be awarded as well as the inability to award economic order quantity funding for the Virginia-Class SSN multi-year procurement in FY25-29. Reductions in funding and quantities of ships awarded will negatively affect the progress on restoring our Nation's shipbuilding workforce for six major shipbuilders in the wake of the COVID-19 pandemic, incentivizing workers to pursue more stable careers.

**Nuclear Deterrence:** While the first FY24 CR provided an anomaly for a production rate increase on the second Columbia-Class Submarine, the rate of operations increase for advance procurement funding in FY24 will cause delays in long lead time material awards for up to ten future Columbia-Class Submarines and a delay of Submarine Industrial Base investment funding. This puts at risk the modernization of the sea-base leg of our nation's nuclear triad.

**Marine Corps Force Design:** Restrictions on new starts and production rate increases will slow progress on the Marine Corps' transformation to a more agile, efficient, and technologically advanced force able to deter and defeat forces across the Pacific island chains. Production rates of Tomahawk and Guided Multiple Launch Rocket System weapons systems, two ground vehicles and two aircraft will be reduced.

**Weapons Industrial Base:** Year-long CR restrictions will prevent a combined \$380 million investment in the Weapons Industrial Base to increase throughout and production capacity of critical munitions including TRIDENT, Tomahawk, Standard Missile, Long Range Anti-Ship Missile, Advanced Anti-Radiation Guided Missile, and Advanced Medium-Range Air-to-Air Missile. These efforts are in direct response to lessons learned from the conflict in Ukraine.

**Research and Development:** A \$900 million reduction in research and development suspends research at businesses and universities across the country, makes our forces more reliant on aging systems, and provides our adversaries an opportunity to close the technological gap. Reductions to Marine Future Vertical Takeoff Family of Systems, Next Generation Jammer-Increment Two and MQ-4 Triton Multi-Integration will challenge Naval Aviation capabilities to face future threats.

**Military Construction:** A \$3.1 billion shortfall in military construction will cancel or postpone 30 projects across the U.S. and abroad, including three Child Development Centers. Twelve Pacific Deterrence Initiative projects on Guam will be affected, inhibiting our ability to blunt Chinese expansionism.

These impacts, when combined with misalignment between last year's enacted funding bill and our FY2024 budget request, amount to a total funding impact to the Department of the Navy of \$26.1 billion (\$22.8 Navy, \$3.3 Marine Corps). If a 1% sequester is applied, the impacts rises to \$28.8 billion (\$25.0 Navy, \$3.8 Marine Corps). In light of recent world events, we simply cannot afford to sacrifice readiness. Together, we must equip our Sailors and Marines with the best our Nation can provide to ensure they never have to face a fair fight.

Sincerely,  
CARLOS DEL TORO.

Enclosures:

- (1) New Starts by Appropriation and Line Item.
- (2) Production Rate Increases by Appropriation and Line Item.
- (3) Total Appropriation Rates of Operation Increases.
- (4) Summary—Total Misalignment of Funds in a 12-month CR.

NEW STARTS BY APPROPRIATION AND LINE ITEM

Appropriation/Line Item	TOTAL DON		NAVY		MARINE CORPS	
	QTY	Amt (\$K)	QTY	Amt (\$K)	QTY	Amt (\$K)
SCN .....	1	11,733,234	1	11,733,234		
AS Submarine Tender .....	1	1,733,234	1	1,733,234		
SCN Completion of Prior Year Shipbuilding Programs .....		566,119		566,119		
Completion of PY SBP (LI 5300) .....		566,119		566,119		
OPN .....		7,594		7,594		

NEW STARTS BY APPROPRIATION AND LINE ITEM—Continued

Appropriation/Line Item	TOTAL DON		NAVY		MARINE CORPS	
	QTY	Amt (\$K)	QTY	Amt (\$K)	QTY	Amt (\$K)
WPN						
LSD Midlife & Modernization		7,594		7,594		
Conventional Prompt Strike	8	341,434	8	341,434		
RD TEN (PE/PROJ)	8	341,434	8	341,434		
0604840M F-35B C2D2 0358 Utility and Subsystem Support to Mission		260,285		209,657		50,628
0605212M CH-53K 3069 CH53K Improvement		8,113				8,113
0204229N Tomahawk Mssn Planning Ctr 4032 NAV/COMMS		42,515				42,515
0204571N Consolidated Trng Sys Dev 1982 Adversary Mission System		2,969		2,969		
0205633N Aviation Improvements 0357 IFDIS fault detection		5,140		5,140		
0205633N Aviation Improvements 1356 Corrosion Prevention Impro		2,000		2,000		
0602792N Innovative Naval Prototypes (INP) Applied Res 3506 Com		4,010		4,010		
0602792N Innovative Naval Prototypes (INP) Applied Res 3507 Chim		1,500		1,500		
0602792N Innovative Naval Prototypes (INP) Applied Res 3508 Curi		15,537		15,537		
0603563N Ship Concept Advanced Design 3505 Maritime Preposition		1,800		1,800		
0603739N Navy Logistic Productivity 0356 NADACS Inventory		1,502		1,502		
0603801N Innovative Naval Prototypes (INP) Adv Tec Dev 3507 Chim		4,000		4,000		
0604030N Rapid Prototyping, Experimentation & Dem 0385 Rapid P		4,732		4,732		
0604258N Target Systems Development 2159 ASW TARGET		90,490		90,490		
0604840N F-35C C2D2 0358 Utility and Subsystem Support to Mission		3,514		3,514		
FHCON Projects	2	72,463		72,463		
P307 Replace Andersen Housing Ph 8	1	205,032	1	83,126	1	121,906
P387 Replace Andersen Housing Ph 7	1	121,906			1	121,906
MCN Projects (BA01)	1	83,126	1	83,126		
P226 Maintenance Facility & Marine Air Group HQs	26	2,897,154	14	1,827,884	12	1,069,270
P191 Water Treatment Plant	1	125,150			1	125,150
P415 PDI: Child Development Center	1	127,120			1	127,120
P002 Cybersecurity Operations Facility	1	105,220			1	105,220
P316 PDI: Artillery Battery Facilities	1	186,480			1	186,480
P406 PDI: Recreation Center	1	137,550			1	137,550
P408 PDI: Religious Ministry Services Facility	1	34,740			1	34,740
P760 PDI: Training Center	1	46,350			1	46,350
P859 PDI: Consolidated MEB HQ/NCIS PHIL	1	89,640			1	89,640
P870 PDI: 9th ESB Training Center	1	19,740			1	19,740
P158 Bachelor Enlisted Quarters & Support Facility	1	23,380			1	23,380
P1241 Communications Towers	1	131,800			1	131,800
P1044 Submarine Pier 31 Extension	1	42,100			1	42,100
P1102 Weapons Magazine & Ordnance Operations Fac.	1	112,518	1	112,518		
P614 PDI: Joint Consol. Comm. Center (INC)	1	219,200	1	219,200		
P691 Aircraft Development and Maintenance Facs	1	107,000	1	107,000		
P1339 Child Development Center	1	141,700	1	141,700		
P1334 Child Development Center	1	35,000	1	35,000		
P1069 Maritime Surveillance System Facility	1	43,600	1	43,600		
P541 PDI: Missile Integration Test Facility	1	109,680	1	109,680		
P678 PDI: Satellite Communications Facility (INC)	1	174,540	1	174,540		
P891 Shipyard Electrical Backbone	1	166,159	1	166,159		
P171 Weapons Magazines	1	195,000	1	195,000		
P525 Laboratory Compound Facilities Improvements	1	221,920	1	221,920		
P111 EDI: Ordnance Magazines	1	110,000	1	110,000		
P222 MQ-25 Aircraft Laydown Facilities	1	77,072	1	77,072		
MCNR Projects (BA01)	2	114,495	1	114,495		
P185 G/ATOR Support Facilities	1	36,949			2	36,949
P405 Organic Supply Facilities	1	12,400			1	12,400
	1	24,549			1	24,549
Total New Starts		6,047,801		4,769,048		1,278,753

PRODUCTION RATE INCREASES BY APPROPRIATION AND LINE ITEM

Appropriation/Line Item	TOTAL DON		NAVY		MARINE CORPS	
	QTY	Amt (\$K)	QTY	Amt (\$K)	QTY	Amt (\$K)
APN						
JSF STOVL	17	409,480	9	326,762	8	82,718
Multi-Engine Training System (METS)	1	228,140	1	228,140		
PMC	16	181,340	8	98,622	8	82,718
Joint Light Tactical Vehicle (JLTV)	43	111,731			43	111,731
Guided MLRS Rocket	12	17,750			12	17,750
Tomahawk	4	1,262			4	1,262
Amphibious Combat Vehicle	21	62,234			21	62,234
SCN	6	30,485			6	30,485
Columbia Class (FF) <sup>1</sup>	4	7,068,215	4	7,068,215		
Columbia Class (AP) <sup>1</sup>	1		1			
Virginia Class Submarine (FF)		612,181		612,181		
Virginia Class Submarine (AP)		2,595,781		2,595,781		
CVN Refueling Overhauls AP		1,189,888		1,189,888		
DDG 1000		396,565		396,565		
FFG		337,424		337,424		
LHA	1	1,038,474	1	1,038,474		
T-AO		744,679		744,679		
LCU		32,832		32,832		
Auxiliary Vessels	2	62,532	2	62,532		
Service Craft		9,008		9,008		
SCN Completion of Prior Year Shipbuilding Programs		48,851		48,851		
Completion of PY SBP (LI 5300)		306,324		306,324		
WPN		306,324		306,324		
Adv Med Range Air-to-Air Missile (AMRAAM)	170	733,032	155	718,670	15	14,362
Sidewinder	37	103,253	37	103,253		
Rolling Airframe Missile (RAM)	19	15,877	7	4,938	12	10,939
LRASM	20	22,765	20	22,765		
Evolved Sea Sparrow Missile (ESSM)	33	419,974	30	416,551	3	3,423
MK-48 Torpedo	11	13,794	11	13,794		
	50	157,369	50	157,369		
Total Production Rate Increases		8,628,782		8,419,971		208,811

<sup>1</sup> Section 124 of the "Continuing Appropriations Act, 2024 and Other Extensions Act" (P.L. 118–15) includes an anomaly for \$621.27M for a Columbia Class Submarine. The "Further Continuing Appropriations and Other Extensions Act, 2024" (P.L. 118–22) Section 140 provides an anomaly for \$3,338,413,000 for Columbia Class AP.

TOTAL APPROPRIATION RATES OF OPERATION INCREASES <sup>2</sup>

Appropriation	TOTAL DON		NAVY		MARINE CORPS	
	QTY	Amt (\$K)	QTY	Amt (\$K)	QTY	Amt (\$K)
MPN		1,434,018		1,434,018		
RPN		103,887		103,887		
MPMC		582,352				582,352
RPMC		77,216				77,216

TOTAL APPROPRIATION RATES OF OPERATION INCREASES <sup>2</sup>—Continued

Appropriation	TOTAL DON		NAVY		MARINE CORPS	
	QTY	Amt (\$K)	QTY	Amt (\$K)	QTY	Amt (\$K)
OMN .....		4,058,432		3,938,540		119,892
OMNR .....		102,760		72,986		29,774
OMMC .....		424,994				424,994
OPN .....		2,389,073		2,316,278		72,795
PANMC .....		372,389		264,349		108,040
PMC .....		197,971				197,971
RD TEN .....		658,243		417,151		241,092
WPN .....		978,806		1,016,306		(37,500)
Total Appropriation Rates of Operation Increases <sup>2</sup> .....		11,380,141		9,563,515		1,816,626

<sup>2</sup> Rates of Operations increases by appropriation are calculated after accounting for new starts and production rate increases. With the exception of SCN and MILCON appropriations, CR restrictions for rates of operation are at the total appropriation level. However, it is prudent to consider proposed Congressional adjustments at a line item level when determining amounts that can be executed during the CR period, in order to preserve Congressional funding prerogatives in an appropriation act.

SUMMARY—TOTAL MISALIGNMENT OF FUNDS IN A 12-MONTH CR

Appropriation	TOTAL DON		NAVY		MARINE CORPS	
	QTY	Amt (\$K)	QTY	Amt (\$K)	QTY	Amt (\$K)
Total New Starts .....		6,047,801		4,769,048		1,278,753
Total Production Rate Increases .....		8,628,782		8,419,971		208,811
Total Appropriation Rates of Operation Increases .....		11,380,141		9,563,515		1,816,626
Estimated Sequestration TOA Shortfall—Yearlong CR .....		2,737,000		2,222,000		515,000
Misalignment of Funds—12 Month CR with Seq .....		28,793,724		24,974,534		3,819,190
PB24 Submission .....				255,752,514		
Total 12-Month CR Misalignments and Estimated Sequestration .....				(28,793,724)		
12-Month CR/SEQ TOA for DON <sup>3</sup> .....				226,958,790		

<sup>3</sup> Assumes no anomalies to lift restrictions on new starts and rate increases, and no authority to realign funding within and between appropriations. Includes PB24 levels for DHA accounts.

SECRETARY OF THE AIR FORCE,  
Washington, DC.

HON. PATTY MURRAY,  
Chair, Committee on Appropriations,  
U.S. Senate, Washington, DC.

DEAR CHAIR MURRAY: As Congress works to advance Fiscal Year (FY) 2024 appropriations legislation, I write to highlight current, significant impacts a Continuing Resolution (CR) and the Fiscal Responsibility Act (FRA) have on the Department of the Air Force (DAF). Our biggest challenges are strengthening our capabilities, as well as recruiting and retaining the world’s best Air Force and Space Force, to prevail, if necessary, in the Indo-Pacific against the People’s Republic of China (PRC) as the pacing challenge. Overall, a year-long CR in FY24 would reduce buying power of the DAF by as much as \$13 billion. Additionally, should a sequester be ordered under the FRA, including discretionary spending levels capped at FY23 levels minus one percent with the directive to exclude military personnel accounts, the impact to the DAF would be an approximate eight percent cut, absent inflation, to absorb the remaining FY24 FRA topline cap.

While CRs and the associated limitations placed on the DAF ability to invest in modernization, as well as in our Airmen, Guardians, and civilians, are significant, the one thing we cannot buy back with any amount of funding is time. The longer the DAF operates under any CR, the more time our pacing challenge has to gain advantage and further increases their ability to inflict unacceptable levels of destruction against our people and capabilities. In 1940, General Douglas MacArthur said, “The history of failure in war can almost always be summed up in two words: ‘Too late.’ Too late in comprehending the deadly purpose of a potential enemy. Too late in realizing the mortal danger. Too late in preparedness. Too late in uniting all possible forces for resistance.

Any length of CR impacts DAF readiness, hinders acceleration of the U.S. Space Force, delays military construction (MILCON) projects, reduces aircraft availability, and curbs modernization in our race for technological superiority. Below are specific examples of current CR impacts on the DAF.

GREAT POWER COMPETITION OPTIMIZATION  
IMPACTS

Risks credibility of U.S. nuclear deterrence and undermines two legs of the nuclear triad:

For the future ground-base leg, LGM-35A Sentinel, delays weapon system construction, missile development, and delivery of MH-139 aircraft—essential to nuclear surety and security at a time when the PRC has built 100 new missile silos.

For the future air-based leg, B-21 Raider, delays procurement as the contract award is held to the previous year quantity and funding.

Stops 89 new starts, totaling \$2 billion, and 19 specific initiatives to counter the PRC, totaling \$4.8 billion, which would close key capability gaps and assure U.S. advantage through the Joint Strike Missile, Kill Chain Automation, Collaborative Combat Aircraft (CCA) development, and Moving Target Engagement.

Cancels \$2.8 billion in U.S. Space Force growth for new space architectures critical to the Joint Force in contested environments, including resilient Space Data Transport and Missile Warning/Missile Tracking (MWMT); tactical sensing; and positioning, navigation, and timing (PNT).

Delays procurement of seven National Security Space Launch (NSSL) missions thereby exposing Joint warfighters to significant risk.

MILITARY PERSONNEL & OPERATIONS IMPACTS

Limits DAF capability to cover any increase in military pay accounts including inability to initiate new bonuses or incentive pay designed to address critically-manned career fields.

Degrades operational readiness by underfunding critical accounts such as weapon system sustainment and the flying hour program.

MILCON IMPACTS

Prevents 34 new major construction projects totaling \$1.6 billion, including new weapon system beddowns, Quality of Life (QoL) facilities, and three Indo-Pacific projects fundamental to Agile Combat Employment (ACE) operations.

Prevents five new Energy Resilience and Conservation Investment Program (ERCIP) Defense-Wide MILCON projects, totaling \$138

million, for critical power and water requirements at two U.S. Air Force and three U.S. Space Force locations.

The DAF greatly values your partnership and appreciates your commitment to our Airmen and Guardians. However, the longer the DAF operates under a CR, the greater the impact is on our people and programs. While change is hard and focus on short-term distractions seems enticing, losing to the pacing challenge is unacceptable. No one wants great power competition and no one can predict when conflict might occur, but we must be as ready as we can be—now, tomorrow, and every day. I implore you and your colleagues to advance full-year FY24 appropriations legislation as soon as possible. Thank you for your continued support of our U.S. Air Force and U.S. Space Force.

Sincerely,  
FRANK KENDALL,  
Secretary of the Air Force.

Mr. TESTER. I yield the floor.

RECESS

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

Thereupon, the Senate, at 1:08 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. Luján).

EXECUTIVE CALENDAR—Continued

VOTE ON COKER NOMINATION

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

Mr. PAUL. 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 Indiana (Mr. YOUNG).

Further, if present and voting: the Senator from Indiana (Mr. YOUNG) would have voted “yea.”

The result was announced—yeas 59, nays 40, as follows:

[Rollcall Vote No. 338 Ex.]

YEAS—59

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

NAYS—40

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

NOT VOTING—1

Young

The nomination was confirmed.

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

The Senator from Rhode Island.

LEGISLATIVE SESSION

Mr. REED. 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.

JOURNAL OF PROCEEDINGS

Mr. REED. Mr. President, I ask that the Journal of proceedings be approved to date.

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

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2024—CONFERENCE REPORT—Resumed

Mr. REED. Mr. President, I call for the regular order with respect to the conference report to accompany H.R. 2670.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The committee on conference on the disagreeing votes of the two Houses on the

amendment of the Senate to the bill (H.R. 2670) 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, having met, have agreed that the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment and the Senate agree to the same, signed by a majority of the conferees on the part of both Houses.

Pending:

Schumer motion to recommit the conference report to accompany the bill to the Committee on Conference, with instructions.

Schumer amendment No. 1373 (to the instructions of the motion to recommit the conference report to accompany the bill to the Committee on Conference), to modify the effective date.

Schumer amendment No. 1374 (to Amendment No. 1373), to modify the effective date.

Mr. REED. Mr. President, I ask that Senator ERNST be permitted to speak for up to 5 minutes, and that, following the vote on the Ernst motion to table, Senators HAWLEY and LUJÁN be permitted to speak for up to 10 minutes each.

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

The Senator from Iowa.

Ms. ERNST. Mr. President, Leader SCHUMER is blocking us from having an important and timely debate on Biden's unlawful, immoral policy to use tax dollars intended for our national defense to pay for abortions.

The world is imploding because of Biden's failed leadership and weakness, and our country is under greater threat than it has been in years. Meanwhile, the Biden Department of Defense is waging a war on the unborn.

I never back down from a fight, and Democrats' tactics will not deter my work to stop Biden from forcing the Pentagon to provide transportation tourism for abortion with taxpayers' hard-earned money.

As a mom, soon-to-be grandma, and 23-year combat veteran and retired lieutenant colonel of our great U.S. Army, I firmly believe the Pentagon should be focusing on protecting innocent life, not destroying it. That is why I have led the legislation to overturn this abhorrent policy and why I am here today to continue my fight for life.

Congress has been clear for nearly half a century: The Hyde amendment protects taxpayers from being forced to fund abortions, and that includes the Department of Defense.

Senator SCHUMER should stop obstructing the world's greatest deliberative body from debating this important, longstanding issue.

A “yes” vote on this motion would allow me to offer the House-passed, pro-life provisions similar to my own bill. Including these protections in the Defense bill would restore the DoD's mission integrity by preventing any taxpayer funding for Biden's radical abortion tourism, including travel costs.

America is being threatened by adversaries at home and abroad. Why are President Biden and Leader SCHUMER dividing us with their radical abortion agenda?

This is a moment where we should all stand united in the defense of our Nation. Let's do so today.

I urge my colleagues on both sides of the aisle to vote yes to defeat SCHUMER's gross attempt to silence our voices and those of the unborn.

MOTION TO TABLE AMENDMENT NO. 1373

Mr. President, I move to table the Schumer amendment No. 1373 for the purposes of offering my amendment numbered 1376, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 47, nays 53, as follows:

[Rollcall Vote No. 339 Leg.]

YEAS—47

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

NAYS—53

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

The motion was rejected.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. LUJÁN. Mr. President, I rise in support of Senator HAWLEY's motion to table.

And I speak today on behalf of: Annie, Henry, Cipriano, Rosemary, Tina, Louisa, Francisco, Laura, Wilbert, Charles, and the thousands upon thousands of people who have endured the agony and suffering brought on by our nuclear weapons testing in New Mexico and across the country.

In July of 1945, Annie was in her kitchen with her family when, all of a sudden, they heard a boom. The next second, they were on the floor holding onto one another, trying to comfort each other, because around them windows were shattering and walls were crumbling.

When they went outside, they thought that it started to snow, but it was ash falling from the sky. Some families, who were away from the community, later that night returned, only to find clothing that they were hanging on a drying line full of this ash that they didn't know where it was coming from.

Both Annie and her youngest sister Marcie were the only two children living in their little home—their casita—in Capitan, NM. Both have died from cancer.

Henry was just 11 years old when the bomb went off. He recalls thinking the world was ending. Henry watched as his brother, his nephew, and niece all died of cancer. He was diagnosed with cancer at the age of 63. I am sorry to say that we lost him in 2022.

And it is not just the downwinders who were impacted. Cipriano worked in the uranium mines for 8 years. Now, the personal protective equipment he was given: a single paper mask, one per shift. That mask was useless after into the first hour because it would get covered with something that we have known to be called yellowcake, the particulate from the uranium mine ore that would cover everything, including places where some of these uranium miners would go to have their lunch. And they would try to clean the dust off, but they could never keep up with it because it just kept accumulating.

Some folks were told: Just wait until you get home to shake the yellowcake—the dust—off your clothing, because in those mines, sometimes they would spread water to keep the particulate down. Well, they got the miners' clothing wet. So the yellowcake would stick to it. It was hard to peel off. So wait until you get home and it dries to shake it off.

Many of these families—namely the Navajo uranium miners—lived in a one-home generational house. So if you go home and start shaking your clothing filled with a yellowcake that then dries off, what are you doing to grandma and grandpa, to your siblings, to your kids, and maybe your grandkids when that particulate is now all around you?

Cipriano lived with shortness of breath since he was in his twenties. Later, he developed pulmonary fibrosis, kidney failure, and he eventually needed a kidney transplant. He, too, sadly, passed away.

All of these stories, medical traumas, and generational pain are happening on our watch. And while millions of people flocked to the theaters this summer to see a big blockbuster that told the story about this Trinity test that took place—some of us know what that is—in the Tularosa Basin, the first place that a nuclear bomb was set off on American soil to test it. But not much was mentioned about these families who are dying of cancer today.

You know, some Navajo elders, some women, some grandmas—as we call

them—came to Congress when I was a Member of the House to testify. And during one of those conversations, one of those elders asked a question back to those of us who were on the dais. And she said: Are you waiting for all of us to die so that the problem goes away?

I don't know what to say to her when I go home—and I will see her right now—because this legislation, which we all fought for—and I want to thank Senator HAWLEY for finding a way for us to work together to fight for the families in and around Missouri, working with Senator CRAPO, and every one of you for making this happen. And we passed this with a bipartisan strong vote out of the Senate. It has now been taken out of the NDAA in this conference. What do I tell these families?

There is a lot that I have learned in this body: the challenges and frustrations that exist for our constituents, for each and every one of us on occasion. But I have also learned—especially here in the Senate—that the fight is never over; that there is always something that can be done. When I listen to the brilliant parliamentarian team, they teach me on how I can do my job better for the people that I represent. I know that a “yes” vote on this might be challenging; but for the families in States all across America, what can we do to help them?

In the same way that this body came together to pass incredible pieces of policy to help victims due to exposure—I will point most recently to an act this Congress took after 9/11 when we got together in a bipartisan way and we said we are going to pass the Zadroga Act—and that act was not only passed once, but then it was extended for, like, 90 years because it was the right thing to do. And it costs some money. But it was the right thing to do.

There is a liability from the United States of America to these families. I believe that the CBO should actually be using this as a pay-for, because when there is a liability from the United States of America and you fix it, it actually creates credit, a path forward to pay for everything else. But for some reason, the CBO does not release this aggregated data to help us better understand what is happening here.

So I plead and I urge with my colleagues that we find a way to do the right thing here; that going forward, we find a path to get this done.

And I want to say thank you to all the staff and the Members who know about these families now. You have taken time to understand them. And many of you have given me advice on how we can do things better. And I thank you for that. The families thank you for that. So I hope that this fight will not be forgotten.

I urge my Republican and Democratic leadership to work with us to help pass the Radiation Exposure Compensation Act amendments.

I thank Senator HAWLEY.

And I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. HAWLEY. Mr. President, I want to add a few words to my friend Senator LUJÁN's eloquent statement of the need to do justice to these good Americans who have—let's just tell it like it is—been poisoned by their own government, who have been exposed to nuclear waste, nuclear radiation by the U.S. Government, by the U.S. Defense Department.

These Americans are happy to do their part for national security. They are proud of what they have done for their country. But they deserve to be recognized, and they deserve to be compensated.

And so I want to add again my voice in support of justice for these Americans. And I want to say again to this body that it is wrong—it is wrong—to turn our backs on these tens of thousands of Americans who have given their health and, in many cases, their lives for their country and not been recognized for it; in many cases not been compensated for it. And now they are told that because of the actions of this body, because of the conference report, because of a backroom deal struck in conference, this program that compensates victims of nuclear radiation will soon expire. And tens of thousands of Americans who have relied on this program for 30-plus years for lifesaving health and treatment will get nothing. The lights will go dark, and these Americans will be turned out into the cold. And thousands more—like the residents of my State and New Mexico and other States around this country who deserve compensation—will get nothing.

That is not acceptable to me. It is not right. And I want to take a moment now to tell a story or two from the victims who are affected, just to help everybody understand what is at stake here because I know this is the national defense bill, and if I have learned one thing about this bill, it is, the suits always get paid. The corporations, they always get paid. The defense contractors, they always get paid. They come out great in the end. It is amazing. It is a law in Washington, ironclad. If you are a big corporation, you do defense work, you are going to be fine. This body will take care of you.

But will we take care of the men and women who don't otherwise have a voice in this body? Will we take care of the men and women who don't pay DC lobbyists, who don't work for the Raytheon Corporation? Will they be taken care of? That is the question. Let's meet a few of them. Let me introduce you to Claire.

Claire's parents grew up near Weldon Spring in my State, in Missouri. Weldon Spring is the site of a Manhattan Project uranium refining site. That site sat untouched from the Manhattan Project era until 2001, more than 50 years after it was contaminated.

In 2020, Claire was diagnosed with lymphoma. She was 2 years old. Let me introduce you to Veda, Claire's cousin. Veda, her mom and dad, they all lived together right near that same site where nuclear waste has been dumped, not adequately cleaned up or dealt with. She grew up there, and, wouldn't you know it, just 6 weeks after her cousin Claire was diagnosed with lymphoma, Veda was diagnosed with leukemia. She was 4 years old when she was diagnosed.

Why is this happening in St. Louis? I will tell you why. St. Louis was a uranium processing site, like many other cities around the country, and St. Louis was proud to do its part in the Manhattan Project. You won't get any argument from me about that. You certainly won't get any argument from Missourians. But here is what is not acceptable. After the Manhattan Project was concluded, the Federal Government didn't clean up the waste. No, the Federal Government allowed nuclear waste to sit out in barrels right near a stream that runs along schools, that runs alongside suburbs, that cuts right through the heart of the city.

The Federal Government dumped nuclear waste into a public landfill. Then it dumped the nuclear waste into a second landfill. Then it dumped it into an area in the downtown part of the city. And here we are, all these decades later, how much of it has been cleaned up? None of it. None of it. That is why these children are sick.

Let me introduce you to Howard Billiman because it is not just in Missouri, but it is all over the country. This is Howard Billiman. Howard was a Navajo code talker in World War II, absolutely instrumental to the U.S. war effort. He died of stomach cancer after living downwind from the nuclear tests that Senator LUJÁN was talking about just a moment ago. And now his children who also grew up downwind have developed cancer themselves. So it is not just one generation. It is generation upon generation because the U.S. Government has not done what is right. They haven't cleaned up the contamination. They haven't made whole the families they injured.

In fact, as this body recognized in 1990, when it first passed the radiation statute, the government owes these folks an apology; it owes them a clean-up; and it owes them recognition and compensation.

That is true also of Bernice Gutierrez. Here is Bernice. She was 8 days old—8 days—when the government tested the first atomic bomb just miles away from her family's home in New Mexico. Her entire family was repeatedly exposed to nuclear tests. As a consequence, 44 members of Bernice's family—44—have been diagnosed with cancer or other radiation-linked diseases. Her mother had cancer three times. Three of her brothers have had cancer. Her sister has had cancer, and she has thyroid disease. Her oldest son passed

away from a radiation-linked disease, and her daughter now has thyroid cancer. Add to that, 36 additional relatives who have cancers linked to radiation. This is all one family in one State who have been compensated not at all—not at all.

They have given their health for this country. They haven't gotten recognition. They haven't gotten compensation. That is wrong.

Meet Leslie Begay. Leslie is a Navajo marine who fought for his country in Vietnam. There he is. When he returned home, he went to work mining uranium to support the Cold War effort. Think about this. He goes to Vietnam, fights for his country in Vietnam, comes home, goes to the uranium mines to support his country's Cold War effort. He says he was issued—in his words—"just a rain jacket, safety glasses, and a hard hat. That's it."

Now, Leslie is having a double lung transplant. He lives in New Mexico. He pays \$700 a month for medication. And what does he get for his injuries, for his illnesses brought on by his exposure in the mines? Nothing. Nothing. Zero. He has gotten zero.

I want to introduce you to one more person, my friend, Kristen Camuso. Kristen grew up in St. Louis. She played in and around Coldwater Creek, that creek where the government left barrels of radioactive waste sitting out for literally years, open, the rain, the elements. The waste leaked out of the barrels right down into the creek. And for decades, the people of St. Louis were told: Oh, there is no problem. The creek is fine. No problem at all. You can play in it. Your kids can play in it. You can send your kids to school by it, build houses by it, and people did because that is what the government said. And now thousands of people are sick, including Kristen.

Since her 2012 cancer diagnosis, Kristen has had her gall bladder removed. She has had a total hysterectomy. She has had her left adrenal gland removed, and after all that, doctors found another tumor on her right adrenal gland and a lesion on her liver. Her medicine is so expensive, she has to ration the care. There is just no way around it. As she says, "I am forced to choose which way I can die."

I say, again, this is not right. These are good people who have done nothing wrong. Their government has caused this. When the government causes injury, the government should make it right. That is what we are asking for. That is what the radiation compensation program does, and it is wrong to let it expire. It is an injustice. It is a scar on the conscience of this body and this Nation.

And I will come to the floor as long as it takes until we do right by these Americans who have done right by their country because they deserve better than this.

Here is the last thing I will say. You know, you think about the billions of dollars in costs that the government

has imposed on these people, taking their health, taking their lives, over decades, and yet what is in this year's Defense bills, the Defense appropriations bills, one analysis recently found that House and Senate appropriators have added at least \$26 billion for programs the Pentagon doesn't even want, \$26 billion in 1 year.

Things like \$5 million for a social network analysis for the Army, \$4 million to research the impacts of soil structures on hydrology, \$12 million for new snow removal equipment. Where is my favorite? The \$15 billion inserted by Senators—\$15 billion with a "b"—in 1 year, \$15 billion for 636 weapons projects the Pentagon did not request. That is 636 weapons programs the Pentagon doesn't request. But yet we don't have a dime for these people.

We don't have a dime for the people exposed to nuclear waste and radiation by their own government. No, this is not right. It is not right, and I am not willing to accept it. Senator LUJÁN is not willing to accept it. And I urge the Members of this body, do not be willing to accept it. We must reauthorize this program. We must do right by these Americans. They deserve it.

This isn't a welfare check; this is justice. It is what they deserve. It is what they have earned. And I will continue to come to this floor as long as it takes.

I am going to make a motion now to extend debate on this bill. I have no illusions that this will succeed. I realize my colleagues are eager, all too eager, to move on, but I think it is important we take as much time as is necessary to understand the stakes of what we are doing and to understand the stakes of turning our backs on these people.

MOTION TO TABLE THE MOTION TO RECOMMIT

Mr. President, so now, I move to table the Schumer motion to recommit, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

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

The result was announced—yeas 26, nays 73, as follows:

[Rollcall Vote No. 340 Leg.]

#### YEAS—26

Bennet	Hawley	Risch
Braun	Heinrich	Rosen
Cantwell	Hickenlooper	Rubio
Cortez Masto	Johnson	Sanders
Crapo	Kelly	Schmitt
Cruz	Lee	Sinema
Daines	Luján	Tester
Graham	Marshall	Vance
Grassley	Paul	

#### NAYS—73

Baldwin	Britt	Carper
Barrasso	Brown	Casey
Blackburn	Budd	Cassidy
Blumenthal	Butler	Collins
Booker	Capito	Coons
Boozman	Cardin	Cornyn



Cotton	Markey	Scott (SC)
Cramer	McConnell	Shaheen
Duckworth	Menendez	Smith
Durbin	Merkley	Stabenow
Ernst	Moran	Sullivan
Fetterman	Mullin	Thune
Fischer	Murkowski	Tillis
Gillibrand	Murphy	Tuberville
Hagerty	Murray	Van Hollen
Hassan	Ossoff	Warner
Hirono	Padilla	Warnock
Hoeben	Peters	Warren
Hyde-Smith	Reed	Welch
Kaine	Ricketts	Whitehouse
Kennedy	Romney	Wyden
King	Rounds	Young
Klobuchar	Schatz	
Lankford	Schumer	
Lummis	Scott (FL)	

NOT VOTING—1

Manchin

The motion was rejected.

CLOTURE MOTION

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

The legislative clerk read as follows:

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 conference report to accompany H.R. 2670, a bill 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.

Charles E. Schumer, Jack Reed, Tammy Duckworth, Margaret Wood Hassan, Angus S. King, Jr., Robert P. Casey, Jr., Tim Kaine, Chris Van Hollen, Jeanne Shaheen, Mark Kelly, Christopher A. Coons, Mazie Hirono, Alex Padilla, Patty Murray, Michael F. Bennet, Catherine Cortez Masto, Raphael G. Warnock.

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

The question is, Is it the sense of the Senate that debate on the conference report to accompany H.R. 2670, a bill 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, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

The yeas and nays resulted—yeas 85, nays 15, as follows:

[Rollcall Vote No. 341 Leg.]

YEAS—85

Baldwin	Carper	Durbin
Barrasso	Casey	Ernst
Bennet	Cassidy	Fetterman
Blackburn	Collins	Fischer
Blumenthal	Coons	Gillibrand
Boozman	Cornyn	Graham
Britt	Cortez Masto	Grassley
Brown	Cotton	Hagerty
Budd	Cramer	Hassan
Butler	Crapo	Heinrich
Cantwell	Cruz	Hickenlooper
Capito	Daines	Hirono
Cardin	Duckworth	Hoeben

Hyde-Smith	Murray	Shaheen
Johnson	Ossoff	Sinema
Kaine	Padilla	Smith
Kelly	Peters	Stabenow
Kennedy	Reed	Sullivan
King	Ricketts	Tester
Klobuchar	Risch	Thune
Lankford	Romney	Tillis
Manchin	Rosen	Van Hollen
Marshall	Rounds	Warner
McConnell	Rubio	Warnock
Menendez	Schatz	Whitehouse
Moran	Schmitt	Wicker
Mullin	Schumer	Young
Murkowski	Scott (FL)	
Murphy	Scott (SC)	

NAYS—15

Booker	Lummis	Tuberville
Braun	Markey	Vance
Hawley	Merkley	Warren
Lee	Paul	Welch
Lujan	Sanders	Wyden

The ACTING PRESIDENT pro tempore. On this vote, the yeas are 85, the nays are 15.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The motion was agreed to.

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

## MORNING BUSINESS

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

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

## ARMS SALES NOTIFICATION

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

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

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

DEFENSE SECURITY  
COOPERATION AGENCY,  
Washington, DC.

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

DEAR MR. CHAIRMAN: On December 8, 2023, the Secretary of State, pursuant to section 36(b) of the Arms Export Control Act, as amended, determined that an emergency exists which requires the immediate sale of the defense articles and defense services identi-

fied in the attached transmittal to the Government of Israel through the Foreign Military Sales process, including any further amendment specific to costs, quantity, or requirements occurring within the duration of circumstances giving rise to this emergency sale.

Please find attached (Tab 1) the Secretary of State Determination and Justification waiving the congressional review requirements under Section 36(b)(1) of the Arms Export Control Act (AECA), as amended. We will issue a news release to notify the public of this proposed sale upon delivery of this letter to your office.

Sincerely,

MIKE MILLER,  
(for James A. Hirsch, Director).

Enclosures.

UNCLASSIFIED

Determination Under Section 36(b)(1) of the Arms Export Control Act

Pursuant to section 36(b)(1) of the Arms Export Control Act, 22 U.S.C. 2776, I hereby determine that an emergency exists that requires the immediate sale through the following foreign military sales case, including any further amendments specific to the cost, quantity, or requirements of these cases, in the national security interest of the United States:

For Israel:

120mm Tank Cartridges

This determination shall be published in the Federal Register and, along with the accompanying Memorandum of Justification, shall be transmitted to Congress with the applicable notifications.

Date: 12-8-23

ANTONY J. BLINKEN,  
Secretary of State.

(U) Memorandum of Justification for Emergency Arms Transfers to Israel Under Section 36(b)(1) of the Arms Export Control Act

(U) On October 7, Hamas launched the worst attack on Israel since the 1973 Yom Kippur War. Thousands of rockets were fired and continue to be fired indiscriminately, hitting locations and civilians as far as Tel Aviv and Jerusalem. Hamas gunmen crossed into Israel, entering towns and communities as far as 15 miles from Gaza, slaughtering men, women, and children. More than 230 hostages were captured and dragged back into Gaza, including U.S. citizens. As of today, Hamas' act of terrorism has claimed the lives of more than 1,200 in Israel, including at least 31 U.S. citizens, and wounded thousands more. The attack is the single deadliest day for the Jewish people since the Holocaust, and is reminiscent of the worst rampages of ISIS. The following day, the Government of Israel formally declared war on Hamas in accordance with its Basic Law.

(U) Israel has the right to defend itself, and the United States supports Israel taking necessary action to defend its country and protect its people from Hamas terrorists, consistent with international law and, specifically, the law of war. Following the attack, the President directed surging additional military assistance to the Israeli Defense Force, to include ammunition and interceptors to replenish the Iron Dome. The Department of State and the Department of Defense are coordinating with Israeli partners to meet their military requirements and ensure Israel has what it needs to defend itself, its people, and U.S. citizens living, working, and traveling in Israel.

(U) Israel faces further credible security threats on its northern border with Lebanon and Syria. Since October 7, sporadic violence has occurred across the Blue Line, which marks the de facto boundary between Israel

and Lebanon, and Israel remains at immediate risk of other parties in Lebanon or Syria exploiting Hamas' appalling attack.

(U) The United States' commitment to Israel's security is ironclad, which is reflected in decades of close political-military dialogues and high-level defense policy exchanges. The historic ten-year U.S.-Israel Memorandum of Understanding to provide Israel with \$38 billion in security assistance is a bulwark against regional threats; however, Israel requires urgent support to respond to the immediate threat raised by Hamas' horrific attack, to replenish stocks of key defense articles that maintain its Qualitative Military Edge in the region, and to deter and guard against the threat of broad scale regional conflict.

(U) Given the scale and scope of Hamas' offensive, it is in the United States' national security interest to swiftly provide Israel with the defense systems it requires to defend itself and reinforce deterrence against other regional threats, which we have undertaken since October 7. Israel has communicated an urgent requirement for 120mm tank rounds. The urgency of this requirement has been validated by the Department of Defense in consultation with the Department of State. We anticipate Israel will continue its military operations in Gaza in the near-term. In order to effectively do so and ensure it is prepared for any other attacks, it has an immediate need for these defense articles. These 120mm rounds are readily available in DoD stock and can be quickly transferred to Israel. The immediacy of the challenge at hand requires overcoming the statutory 15-day Congressional Notification timeline to expedite transfers to Israel.

(U) For the reasons cited above, an emergency exists requiring immediate provision of these defense articles to Israel in the national security interest of the United States. This transfer, through a Foreign Military Sale, will provide Israel as soon as possible with defense articles that are necessary to allow it to defend itself in its war with Hamas. The Secretary of State, therefore, has certified an emergency exists under sections 36(b)(1) of the Arms Export Control Act, 22 U.S.C. 2776, thereby waiving the congressional review requirement of that provision.

#### TRANSMITTAL NO. 24-15

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: Government of Israel.

(ii) Total Estimated Value:

Major Defense Equipment \* \$99.9 million.

Other \$6.6 million.

Total \$106.5 million.

Funding Source: Foreign Military Financing and National Funds.

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

Major Defense Equipment (MDE):

Thirteen thousand nine hundred eighty-one (13,981) 120mm M830A1 High Explosive Anti-Tank Multi-Purpose with Tracer (MPAT) Tank Cartridges.

Non-MDE: Also included are publications and technical documentation; U.S. Government and contractor engineering, technical, and logistics support services; studies and surveys; and other related elements of logistics and program support.

(iv) Military Department: Army (IS-B-VBS).

(v) Prior Related Cases, if any: None.

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

(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: December 8, 2023.

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

#### POLICY JUSTIFICATION

##### Israel—M830A1 120mm Tank Cartridges

The Government of Israel has requested to buy thirteen thousand nine hundred eighty-one (13,981) 120mm M830A1 High Explosive Anti-Tank Multi-Purpose with Tracer (MPAT) tank cartridges. Also included are publications and technical documentation; U.S. Government and contractor engineering, technical, and logistics support services; studies and surveys; and other related elements of logistics and program support. The estimated total cost is \$106.5 million.

The Secretary of State has determined and provided detailed justification that an emergency exists that requires the immediate sale to the Government of Israel of the above defense articles (and defense services) in the national security interests of the United States, thereby waiving the Congressional review requirements under Section 36(b) of the Arms Export Control Act, as amended.

The United States is committed to the security of Israel, and it is vital to U.S. national interests to assist Israel to develop and maintain a strong and ready self-defense capability. This proposed sale is consistent with those objectives.

Israel will use the enhanced capability as a deterrent to regional threats and to strengthen its homeland defense. Israel will have no difficulty absorbing this equipment into its armed forces.

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

This will be a sale from U.S. Army inventory. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will not require the assignment of any additional U.S. Government or contractor representatives to Israel.

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

#### TRANSMITTAL NO. 24-15

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 120mm M830A1 High Explosive Anti-Tank Multi-Purpose with Tracer (MPAT) tank cartridge is a line-of-sight, full-bore, multipurpose munition for the Abrams tank. It requires the gunner to manually select the fuze mode to either point detonate against buildings, bunkers, and light armor vehicles or similar target sets, or proximity for anti-helicopter self-defense capabilities.

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

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 Israel will 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 Government of Israel.

#### ADDITIONAL STATEMENTS

##### TRIBUTE TO THE ALLEN FAMILY

• Mr. BOOZMAN. Mr. President, I rise today to honor the achievements of Jeremy and Magen Allen who have been recognized as the 2023 Arkansas Farm Family of the Year. This award reflects the dedication of the Allen family to farming and its contribution to the top industry in Arkansas.

As owners of JA Farms, Jeremy and Magen care for a 300-head of cow-calf herd and run their own hay operation. In addition to their farm, they oversee a diverse enterprise that includes JA Farms Feeds, a custom livestock feed business, and JA Farms Trucking, which facilitates transportation of their products. The Allen family's presence in Hot Springs County has proven vital to the community. Just one example of this was, when the sole Bismarck hardware store closed last year, the Allen family was quick to action, further expanding their enterprise to include JA Farms Feed & Mercantile, a retail storefront, in order to incorporate supplies and necessities utilized by farm families and others in the community. Since 1947, the Arkansas Farm Bureau's Arkansas Farm Family of the Year Program recognizes outstanding farm families throughout the State for their contributions to the industry and their communities.

I am proud of the Allen family's embodiment of this mission. Jeremy and Magen are driven and hard-working, and this recognition is the fruit bore of that effort. As Arkansas Farm Family of the Year, JA Farms will be competing with nine other State winners to vie for the Sunbelt Age Expo Farmer of the Year Program in Moultrie, GA, where I and their fellow Arkansans will be wishing them the best of luck.

Congratulations to Jeremy, Magen, and their children Lane, Brody, Evelyn, and Eli for their outstanding accomplishments in agriculture. I wish them continued success in the future of their operation.●

##### RECOGNIZING THE KINDRED HIGH SCHOOL VIKINGS

• Mr. CRAMER. Mr. President, I have the privilege of once again congratulating my alma mater on its' second high school State football championship in 3 years.

On November 10, the Kindred Vikings won the Division A State title at the Dakota Bowl State Football Tournament. They finished a truly impressive undefeated season by taking the championship over Dickinson Trinity by a score of 36-7. They had earlier won their first three postseason games, defeating teams from Harvey/Fessenden-

Bowman, Oakes, and Langdon/Edmore/Munich.

This was the third appearance and second State championship for the Vikings since State playoffs sponsored by the North Dakota High School Activities Association began in 1975. They made one Dakota Bowl appearance in 2016 and, in 2021, took the championship by defeating the Edmore-Munich Cardinals.

At Kindred High School, I lettered for 4 years in football, basketball, and track before graduating in 1979. Our teams were not as good as the Vikings are today, something I observed firsthand as the starting quarterback my junior and senior years. Remembering those years increases my admiration all the more for the superb quality of this team and its undefeated season.

Quarterback Jake Starcevic scored three touchdowns and rushed for 117 yards in the Vikings's decisive victory in the championship game. He and two other Vikings players, Riley Sunram and Brooks Bakko, were named to the All-State Class A Football Teams.

Congratulations to this year's team members: Camron Schwartzwalter, Gabe Whipple, Hayden Cichy, Izaak Spelhaug, Hunter Bindas, Jack McDonald, Miles Stroh, Brock Johnson, Landon Kottsick, Jakob Starcevic, Ethan Duval, Brooks Bakko, Carson Gette, Gabriel Iverson, Wyatt Briscoe, Myles Thielges, Graham Hesse, Owen Hoyme, Kylan Swenson, Sawyer Hesse, Grant Allison, Brayden Olson, Tyson Johnson, Fisher Johnson, Taylor Brandsted-Fletcher, Brady Baumgarten, Christopher Freier, Samuel Jenness, Jacob Lund, Kyle Campbell, Tanon Johnson, Tate Miller, Gavin Niemeyer, Teige Erdmann, Brody Mauch, Cole Richard, Kelby Erdmann, Ethan Fornshell, Andrew Haley, Dillon Filler, Lukas Starcevic, Trevor Olson, Riley Sunram, Grant Spelhaug, Javen Johnson, and Lincoln Swenson.

I also want to also recognize Eric Burgad in his first year as head coach, along with his assistants Brad Ambrosius, Joe Harder, Nate Safe, and Ryan Sunram, as well as all the hometown fans for their part in winning this championship.

As a proud alumnus of Kindred High School, I join the rest of North Dakota in congratulating the Vikings on a perfect season and another State championship and for inspiring all of us to strive for excellence, regardless of the circumstance. Once again, they have shown the rest of us what can be achieved when faith and passion combine with determination and teamwork.●

#### RECOGNIZING THE FALL INTERNS

●Mr. RICKETTS. Mr. President, today I stand before you to express my gratitude and admiration for the exceptional students who joined our team as fall interns in 2023. These talented young women and men brought a

unique blend of enthusiasm, dedication, and a passion for making a difference to my offices in Washington, DC, office and across the State of Nebraska.

Our interns have consistently shown a motivation to learn and a strong commitment to our State. Their presence has not only enriched our workspace, but also inspired my team and me. As the torchbearers of the next generation, their spirit and determination fill us with anticipation for what the future holds.

As they leave our office, I want to take a moment to extend my sincerest thanks to: Sarah Gregory, Johnathan Smith, Stephen Trainer, and Kayla Fink, who served in my Washington, DC, office; Abbie Russman, and Ava Verzani, who served in my Omaha office; and Reagan Connelly, who served in my Lincoln office.

Your dedication and contributions have truly made our team stronger. I hope you will carry the lessons learned here into your bright futures. Congratulations and best of luck.●

#### MESSAGE FROM THE HOUSE

At 10:59 a.m., a message from the House of Representatives, delivered by Mrs. Alli, one of its reading clerks, announced that the House has passed the following bills, without amendment:

S. 2747. An act to amend the Federal Election Campaign Act of 1971 to extend the Administrative Fine Program for certain reporting violations.

S. 2787. An act to authorize the Federal Communications Commission to process applications for spectrum licenses from applicants who were successful bidders in an auction before the authority of the Commission to conduct auctions expired on March 9, 2023.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1042. An act to prohibit the importation into the United States of unirradiated low-enriched uranium that is produced in the Russian Federation, and for other purposes.

H.R. 2839. An act to amend the Siletz Reservation Act to address the hunting, fishing, trapping, and animal gathering rights of the Confederated Tribes of Siletz Indians, and for other purposes.

H.R. 3224. An act to amend the Homeland Security Act of 2002 to extend the authorization of the Countering Weapons of Mass Destruction Office of the Department of Homeland Security, and for other purposes.

H.R. 3226. An act to reauthorize the Prematurity Research Expansion and Education for Mothers who deliver Infants Early Act.

H.R. 3315. An act 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.

H.R. 5473. An act to amend certain laws relating to disaster recovery and relief with respect to the implementation of building codes, and for other purposes.

H.R. 6503. An act to amend title 49, United States Code, to extend authorizations for the

airport improvement program, to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, and for other purposes.

#### MEASURES REFERRED

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

H.R. 3224. An act to amend the Homeland Security Act of 2002 to extend the authorization of the Countering Weapons of Mass Destruction Office of the Department of Homeland Security, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 5473. An act to amend certain laws relating to disaster recovery and relief with respect to the implementation of building codes, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

#### MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 3226. An act to reauthorize the Prematurity Research Expansion and Education for Mothers who deliver Infants Early Act.

#### 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-3056. A communication from the Manager of Delisting and Foreign Species, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Removing Island Bedstraw and Santa Cruz Island Dudleya From the List of Endangered and Threatened Plants" (RIN1018-BF51) received in the Office of the President of the Senate on December 6, 2023; to the Committee on Environment and Public Works.

EC-3057. A communication from the Manager of Delisting and Foreign Species, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Reclassifying Mitracarpus Polycladus From Endangered to Threatened With a Section 4(d) Rule" (RIN1018-BE53) received in the Office of the President of the Senate on December 6, 2023; to the Committee on Environment and Public Works.

EC-3058. A communication from the Manager of Delisting and Foreign Species, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Removing Nelson's Checker-Mallow From the Federal List of Endangered and Threatened Plants" (RIN1018-BE54) received in the Office of the President of the Senate on December 6, 2023; to the Committee on Environment and Public Works.

EC-3059. A communication from the Administrator of the Environmental Protection Agency, transmitting, pursuant to law, a report entitled "FY 2022 Superfund Five-Year Review Report to Congress"; to the Committee on Environment and Public Works.

EC-3060. A communication from the Administrator of the Environmental Protection

Agency, transmitting, pursuant to law, a report entitled “Mississippi River/Gulf of Mexico Watershed Nutrient Task Force: 2023 Report to Congress”; to the Committee on Environment and Public Works.

EC-3061. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Air Plan Approval; Ohio; Volatile Organic Compounds” (FRL No. 10601-02-R5) received in the Office of the President of the Senate on December 6, 2023; to the Committee on Environment and Public Works.

EC-3062. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Air Plan Disapproval; Louisiana; Excess Emissions” (FRL No. 10997-02-R6) received in the Office of the President of the Senate on December 6, 2023; to the Committee on Environment and Public Works.

EC-3063. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Air Plan Approval; Indiana; Municipal Solid Waste Landfill State Plan Approval for Designated Facilities and Pollutants” (FRL No. 11127-02-R5) received in the Office of the President of the Senate on December 6, 2023; to the Committee on Environment and Public Works.

EC-3064. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Air Plan Disapproval; Colorado; RACT Elements for the 2008 8-Hour Ozone Standard for the Denver Metro/North Front Range Nonattainment Area” (FRL No. 11237-03-R8) received in the Office of the President of the Senate on December 6, 2023; to the Committee on Environment and Public Works.

EC-3065. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Hazardous Waste Generator Improvements Rule, the Hazardous Waste Pharmaceuticals Rule, and the Definition of Solid Waste Rule; Technical Correction” (FRL No. 8687-03-OLEM) received in the Office of the President of the Senate on December 6, 2023; to the Committee on Environment and Public Works.

EC-3066. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled “The Administration, Cost, and Impact of the Quality Improvement Organization Program for Medicare Beneficiaries for Fiscal Year 2022”; to the Committee on Finance.

EC-3067. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled “Temporary Assistance for Needy Families Thirtieth Report to Congress”; to the Committee on Finance.

EC-3068. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled “Annual Report to Congress on the Medicare and Medicaid Integrity Programs for Fiscal Year 2022”; to the Committee on Finance.

EC-3069. A communication from the Branch Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Pre-approved Plan revenue procedure”

(Rev. Proc. 2023-37) received in the Office of the President of the Senate on December 6, 2023; to the Committee on Finance.

EC-3070. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Medicaid; CMS Enforcement of State Compliance with Reporting and Federal Medicaid Renewal Requirements Under Section 1902(tt) of the Social Security Act” (RIN0938-AV26) received in the Office of the President of the Senate on December 6, 2023; to the Committee on Finance.

EC-3071. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license amendment for the export of defense articles, including technical data, and defense services to various countries in the amount of \$50,000,000 or more (Transmittal No. DDTC 23-047); to the Committee on Foreign Relations.

EC-3072. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license amendment for the export of firearms, parts, and components abroad controlled under Category I of the U.S. Munitions List to the Republic of Korea in the amount of \$1,000,000 or more (Transmittal No. DDTC 23-057); to the Committee on Foreign Relations.

EC-3073. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report entitled “U.S. Compliance with the Authorization for Use of Military Force in Iraq”; to the Committee on Foreign Relations.

EC-3074. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report entitled “Cuban Compliance with the Migration Accords”; to the Committee on Foreign Relations.

EC-3075. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a notification of intent to provide assistance to Ukraine, including for self-defense and border security operations; to the Committee on Foreign Relations.

EC-3076. A communication from the Regulatory Policy Analyst, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Direct-to-Consumer Prescription Drug Advertisements: Presentation of the Major Statement in a Clear, Conspicuous, and Neutral Manner in Advertisements in Television and Radio Format” (RIN0910-AG27) received in the Office of the President of the Senate on December 6, 2023; to the Committee on Health, Education, Labor, and Pensions.

EC-3077. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled “Low Income Home Energy Assistance Program Report to Congress for Fiscal Year 2019”; to the Committee on Health, Education, Labor, and Pensions.

EC-3078. A communication from the Deputy Archivist of the United States, National Archives and Records Administration, transmitting, pursuant to law, the report of a rule entitled “Use of NARA Facilities: Rules for Filming, Photographing, or Videotaping on NARA Property for Personal Use” (RIN3095-AC13) received in the Office of the President of the Senate on December 6, 2023; to the Committee on Homeland Security and Governmental Affairs.

EC-3079. A communication from the Director, Office of Administration, Executive Office of the President, transmitting, pursuant to law, a report relative to transactions from the Unanticipated Needs Account for fiscal year 2023; to the Committee on Homeland Security and Governmental Affairs.

EC-3080. A communication from the Assistant Secretary for Legislation, Office of the Secretary, Department of Health and Human Services, transmitting, pursuant to law, the Uniform Resource Locator (URL) for the Department’s Agency Financial Report for fiscal year 2023; to the Committee on Homeland Security and Governmental Affairs.

EC-3081. A communication from the Administrator, Environmental Protection Agency, transmitting, pursuant to law, the Agency’s Semiannual Report of the Office of Inspector General for the period from April 1, 2023 through September 30, 2023; to the Committee on Homeland Security and Governmental Affairs.

EC-3082. A communication from the Chair, Privacy and Civil Liberties Oversight Board, transmitting, pursuant to law, the Board’s Agency Financial Report for fiscal year 2023 received in the Office of the President pro tempore of the Senate; to the Committee on Homeland Security and Governmental Affairs.

EC-3083. A communication from the Chairman and Chief Executive and Administrative Officer, Federal Labor Relations Authority, transmitting, pursuant to law, the Authority’s Performance and Accountability Report for fiscal year 2023 received in the Office of the President pro tempore; to the Committee on Homeland Security and Governmental Affairs.

EC-3084. A communication from the Director of the Federal Housing Finance Agency, transmitting, pursuant to law, the Agency’s Performance and Accountability Report for fiscal year 2023 received in the Office of the President pro tempore; to the Committee on Homeland Security and Governmental Affairs.

EC-3085. A communication from the Director, Defense Security Cooperation Agency, transmitting, pursuant to law, the Agency’s Agency Financial Report for fiscal year 2023 received in the Office of the President pro tempore; to the Committee on Homeland Security and Governmental Affairs.

EC-3086. A communication from the Chairman, Occupational Safety and Health Review Commission, transmitting, pursuant to law, the Commission’s Performance and Accountability Report for fiscal year 2023 received in the Office of the President pro tempore; to the Committee on Homeland Security and Governmental Affairs.

EC-3087. A communication from the Chairman, National Railroad Passenger Corporation, Amtrak, transmitting, pursuant to law, the Inspector General’s Semiannual Report to Congress for the period from April 1, 2023 through September 30, 2023; to the Committee on Homeland Security and Governmental Affairs.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. SCHATZ, from the Committee on Indian Affairs, without amendment:

S. 195. A bill to provide compensation to the Keweenaw Bay Indian Community for the taking without just compensation of land by the United States inside the exterior boundaries of the L’Anse Indian Reservation that were guaranteed to the Community under a treaty signed in 1854, and for other purposes (Rept. No. 118-129).

S. 382. A bill to take certain land in the State of Washington into trust for the benefit of the Puyallup Tribe of the Puyallup

Reservation, and for other purposes (Rept. No. 118-130).

S. 595. A bill to approve the settlement of water rights claims of the Pueblos of Acoma and Laguna in the Rio San Jose Stream System and the Pueblos of Jemez and Zia in the Rio Jemez Stream System in the State of New Mexico, and for other purposes (Rept. No. 118-131).

By Mr. MANCHIN, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 1088. A bill to authorize the relinquishment and in lieu selection of land and minerals in the State of North Dakota, to restore land and minerals to Indian Tribes within the State of North Dakota, and for other purposes (Rept. No. 118-132).

By Mr. MANCHIN, from the Committee on Energy and Natural Resources, with an amendment:

S. 1097. A bill to establish the Cesar E. Chavez and the Farmworker Movement National Historical Park in the States of California and Arizona, and for other purposes (Rept. No. 118-133).

By Mr. MANCHIN, from the Committee on Energy and Natural Resources, without amendment:

S. 1277. A bill to modify the boundary of the Mammoth Cave National Park in the State of Kentucky, and for other purposes (Rept. No. 118-134).

By Mr. MANCHIN, from the Committee on Energy and Natural Resources, with amendments:

S. 1657. A bill to authorize the Secretary of the Interior to convey certain land to La Paz County, Arizona, and for other purposes (Rept. No. 118-135).

By Mr. MANCHIN, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 1760. A bill to amend the Apex Project, Nevada Land Transfer and Authorization Act of 1989 to include the city of North Las Vegas, Nevada, and the Apex Industrial Park Owners Association, and for other purposes (Rept. No. 118-136).

## 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. KELLY (for himself and Ms. SINEMA):

S. 3464. A bill to support endemic fungal disease research, incentivize fungal vaccine development, discover new antifungal therapies and diagnostics, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. COTTON:

S. 3465. A bill to amend the Internal Revenue Code of 1986 to apply a 6 percent excise tax on large endowments of certain private colleges and universities, and for other purposes; to the Committee on Finance.

By Mr. MORAN (for himself, Mr. BLUMENTHAL, Ms. ROSEN, Mr. THUNE, Mrs. SHAHEEN, Mr. DAINES, Mr. HOEVEN, Mr. ROUNDS, and Mr. VANCE):

S. 3466. A bill to require the Secretary of Veterans Affairs and the Comptroller General of the United States to submit to Congress reports regarding security and safety at facilities of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

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

S. 3467. A bill to require a certain percentage of natural gas and crude oil exports be

transported on United States-built and United States-flag vessels, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. DURBIN (for himself and Ms. DUCKWORTH):

S. 3468. A bill to require rulemaking by the Administrator of the Federal Emergency Management Agency to address considerations in evaluating the need for public and individual disaster assistance, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. BROWN (for himself and Mrs. GILLIBRAND):

S. 3469. A bill to direct the Secretary of Agriculture to establish a grocery, farm, and food worker stabilization grant program; to the Committee on Agriculture, Nutrition, and Forestry.

By Mrs. BRITT (for herself, Mrs. FISCHER, Mr. MCCONNELL, Mr. CRUZ, Mrs. CAPITO, Mr. WICKER, Mrs. HYDE-SMITH, and Mr. HAGERTY):

S. 3470. A bill to amend the National Voter Registration Act of 1993 to permit a State to include as part of the mail voter registration form a requirement that applicants provide proof of citizenship, and for other purposes; to the Committee on Rules and Administration.

By Mr. GRASSLEY (for himself, Ms. BALDWIN, and Ms. ERNST):

S. 3471. A bill to require the Secretary of Agriculture to publish a report on the fertilizer industry, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. BRAUN:

S. 3472. A bill to provide for the conveyance of certain land, Dillard Road, Patoka Lake, Indiana, to the State of Indiana, and for other purposes; to the Committee on Environment and Public Works.

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

S. 3473. A bill to extend the prohibition on providing airport improvement grant funds to certain entities that have violated intellectual property rights of United States entities; to the Committee on Commerce, Science, and Transportation.

By Mr. KING (for himself and Ms. COLLINS):

S. 3474. A bill to redesignate the Hulls Cove Visitor Center at Acadia National Park as the "George J. Mitchell, Jr., Visitor Center"; to the Committee on Energy and Natural Resources.

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

S. 3475. A bill to amend title 49, United States Code, to allow the Secretary of Transportation to designate an authorized operator of the commercial driver's license information system, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. RUBIO (for himself and Mr. SCOTT of Florida):

S. 3476. A bill to monitor United States investments in entities that are controlled by foreign adversaries, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. CASEY (for himself, Mrs. GILLIBRAND, Mrs. SHAHEEN, and Mr. VAN HOLLEN):

S. 3477. A bill to increase access to higher education by providing public transit grants; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. MARKEY (for himself, Mr. BOOKER, Ms. KLOBUCHAR, Mr. LUJÁN, Mr. MERKLEY, Ms. WARREN, Mr. WELCH, and Mr. WYDEN):

S. 3478. A bill to require agencies that use, fund, or oversee algorithms to have an office

of civil rights focused on bias, discrimination, and other harms of algorithms, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. HEINRICH (for himself, Mr. LUJÁN, Mr. PADILLA, Ms. BUTLER, Mr. KELLY, and Ms. SINEMA):

S. 3479. A bill to amend title 40, United States Code, to modify certain requirements for regional commissions, to reauthorize the Southwest Border Regional Commission, and for other purposes; to the Committee on Environment and Public Works.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

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

S. Res. 493. A resolution expressing the sense of the Senate in support of the peaceful, democratic, and economic aspirations of the people of Sri Lanka; to the Committee on Foreign Relations.

By Mr. MERKLEY (for himself, Mr. BLUMENTHAL, Mr. WHITEHOUSE, Mr. CARDIN, Mr. WELCH, and Mr. BOOKER):

S. Res. 494. A resolution expressing the need for the Federal Government to establish a national biodiversity strategy for protecting biodiversity for current and future generations; to the Committee on Environment and Public Works.

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

S. Res. 495. A resolution honoring the 30th anniversary of the partnership between the State of Nebraska and the Czech Republic under the State Partnership Program; to the Committee on Foreign Relations.

## ADDITIONAL COSPONSORS

S. 1

At the request of Ms. KLOBUCHAR, the name of the Senator from California (Ms. BUTLER) was added as a cosponsor of S. 1, a bill to expand Americans' access to the ballot box and reduce the influence of big money in politics, and for other purposes.

S. 8

At the request of Mrs. SHAHEEN, the name of the Senator from California (Ms. BUTLER) was added as a cosponsor of S. 8, a bill to amend the Internal Revenue Code of 1986 to expand eligibility for the refundable credit for coverage under a qualified health plan, to improve cost-sharing subsidies under the Patient Protection and Affordable Care Act, and for other purposes.

S. 22

At the request of Ms. BUTLER, her name was added as a cosponsor of S. 22, a bill to amend the Outer Continental Shelf Lands Act to permanently prohibit the conduct of offshore drilling on the outer Continental Shelf off the coast of California, Oregon, and Washington.

S. 45

At the request of Mr. CARDIN, the name of the Senator from Tennessee (Mrs. BLACKBURN) was added as a cosponsor of S. 45, a bill to amend the Internal Revenue Code of 1986 to simplify reporting requirements, promote tax

compliance, and reduce tip reporting compliance burdens in the beauty service industry.

S. 312

At the request of Mr. BLUMENTHAL, the name of the Senator from Indiana (Mr. BRAUN) was added as a cosponsor of S. 312, a bill to amend title XVIII of the Social Security Act to modernize payments for ambulatory surgical centers under the Medicare program, and for other purposes.

S. 359

At the request of Mr. WHITEHOUSE, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 359, a bill to amend title 28, United States Code, to provide for a code of conduct for justices of the Supreme Court of the United States, and for other purposes.

S. 448

At the request of Mr. PADILLA, the name of the Senator from California (Ms. BUTLER) was added as a cosponsor of S. 448, a bill to codify the existing Outdoor Recreation Legacy Partnership Program of the National Park Service, and for other purposes.

S. 630

At the request of Ms. KLOBUCHAR, the name of the Senator from California (Ms. BUTLER) was added as a cosponsor of S. 630, a bill to establish a democracy advancement and innovation program, and for other purposes.

S. 1097

At the request of Mr. PADILLA, the name of the Senator from California (Ms. BUTLER) was added as a cosponsor of S. 1097, a bill to establish the Cesar E. Chavez and the Farmworker Movement National Historical Park in the States of California and Arizona, and for other purposes.

S. 1138

At the request of Mr. MARKEY, the name of the Senator from California (Ms. BUTLER) was added as a cosponsor of S. 1138, a bill to amend the Bank Holding Company Act of 1956 and the Financial Stability Act of 2010 to require a reduction of financed emissions to protect financial stability, and for other purposes.

S. 1294

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

S. 1307

At the request of Mr. REED, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 1307, a bill to ensure that students in schools have a right to read, and for other purposes.

S. 1384

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

S. 1467

At the request of Ms. ERNST, her name was added as a cosponsor of S. 1467, a bill to amend the Internal Revenue Code of 1986 to allow a refundable tax credit against income tax for the purchase of qualified access technology for the blind.

At the request of Mr. CARDIN, the name of the Senator from North Carolina (Mr. TILLIS) was added as a cosponsor of S. 1467, supra.

S. 1610

At the request of Mrs. SHAHEEN, the name of the Senator from California (Ms. BUTLER) was added as a cosponsor of S. 1610, a bill to authorize administrative absences and travel and transportation allowances for members of the Armed Forces to travel and obtain reproductive health care.

S. 1643

At the request of Ms. CORTEZ MASTO, the name of the Senator from California (Ms. BUTLER) was added as a cosponsor of S. 1643, a bill to require the Secretary of Energy to carry out a program to provide grants and loans to support and expand the domestic solar component manufacturing supply chain, and for other purposes.

S. 1700

At the request of Mr. MENENDEZ, the name of the Senator from California (Ms. BUTLER) was added as a cosponsor of S. 1700, a bill to address mental health issues for youth, particularly youth of color, and for other purposes.

S. 1756

At the request of Mr. KING, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 1756, a bill to amend the Farm Credit Act of 1971 to support the commercial fishing industry.

S. 1776

At the request of Mr. PADILLA, the name of the Senator from California (Ms. BUTLER) was added as a cosponsor of S. 1776, a bill to provide for the protection of and investment in certain Federal land in the State of California, and for other purposes.

S. 1906

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

S. 1950

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

S. 1975

At the request of Mr. PETERS, the name of the Senator from Nevada (Ms. CORTEZ MASTO) was added as a cosponsor of S. 1975, a bill to require a GAO

study on the compliance of discharge review boards with statutory provisions and directives related to liberal consideration of certain conditions, and for other purposes.

S. 1978

At the request of Mr. OSSOFF, the name of the Senator from California (Ms. BUTLER) was added as a cosponsor of S. 1978, a bill to amend title 10, United States Code, to develop requirements for military tenant advocates for privatized military housing, and for other purposes.

S. 2053

At the request of Ms. CORTEZ MASTO, the name of the Senator from California (Ms. BUTLER) was added as a cosponsor of S. 2053, a bill to protect freedom of travel and reproductive rights.

S. 2207

At the request of Ms. SMITH, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 2207, a bill to provide enhanced funding for family planning services.

S. 2253

At the request of Mr. PADILLA, the name of the Senator from California (Ms. BUTLER) was added as a cosponsor of S. 2253, a bill to amend the Fair Labor Standards Act of 1938 to provide increased labor law protections for agricultural workers, and for other purposes.

S. 2257

At the request of Ms. WARREN, the name of the Senator from California (Ms. BUTLER) was added as a cosponsor of S. 2257, a bill to amend the Federal Reserve Act to add additional demographic reporting requirements, to modify the goals of the Federal Reserve System, and for other purposes.

S. 2323

At the request of Mr. BARRASSO, the names of the Senator from Vermont (Mr. WELCH) and the Senator from Maryland (Mr. VAN HOLLEN) were added as cosponsors of S. 2323, a bill to amend title XVIII of the Social Security Act to provide for expanded coverage of services furnished by genetic counselors under part B of the Medicare program, and for other purposes.

S. 2484

At the request of Mr. BOOKER, the names of the Senator from Oregon (Mr. WYDEN) and the Senator from Arizona (Ms. SINEMA) were added as cosponsors of S. 2484, a bill to ensure that States do not prohibit an individual from obtaining, possessing, distributing, or using life-saving drug testing technologies, and for other purposes.

S. 2496

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



S. 2569

At the request of Mr. CORNYN, the name of the Senator from Arizona (Ms. SINEMA) was added as a cosponsor of S. 2569, a bill to amend the Controlled Substances Act to clarify that the possession, sale, purchase, importation, exportation, or transportation of drug testing equipment that tests for the presence of fentanyl or xylazine is not unlawful.

S. 2623

At the request of Mr. ROUNDS, the names of the Senator from Florida (Mr. SCOTT) and the Senator from Alaska (Mr. SULLIVAN) were added as cosponsors of S. 2623, a bill to require the Secretary of the Treasury to harmonize the effective dates of all rules that the Secretary is required to issue under the Corporate Transparency Act, and for other purposes.

S. 2638

At the request of Mr. BOOKER, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 2638, a bill to authorize the Secretary of Health and Human Services to build safer, thriving communities, and save lives, by investing in effective community-based violence reduction initiatives, and for other purposes.

S. 2740

At the request of Mr. RISCH, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. 2740, a bill to help small businesses prepare for and combat cybersecurity threats, and for other purposes.

S. 2757

At the request of Mr. TESTER, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of S. 2757, a bill to limit the Secretary of Veterans Affairs from modifying the rate of payment or reimbursement for transportation of veterans or other individuals via special modes of transportation under the laws administered by the Secretary, and for other purposes.

S. 2843

At the request of Ms. KLOBUCHAR, the name of the Senator from California (Ms. BUTLER) was added as a cosponsor of S. 2843, a bill to amend the Help America Vote Act of 2002 to require States to provide for same day voter registration.

S. 2960

At the request of Ms. KLOBUCHAR, the name of the Senator from California (Ms. BUTLER) was added as a cosponsor of S. 2960, a bill to modify certain notice requirements, to study certain election requirements, to clarify certain election requirements, and for other purposes.

S. 2976

At the request of Mr. BOOKER, the name of the Senator from Arizona (Ms. SINEMA) was added as a cosponsor of S. 2976, a bill to ensure that expenses relating to the acquisition or use of devices for use in the detection of fentanyl, xylazine, and other emerging

adulterant substances, including test strips are allowable expenses under certain grant programs.

S. 3047

At the request of Mr. RUBIO, the names of the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of S. 3047, a bill to award payments to employees of Air America who provided support to the United States from 1950 to 1976, and for other purposes.

S. 3193

At the request of Mr. WHITEHOUSE, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 3193, a bill to amend the Controlled Substances Act to allow for the use of telehealth in substance use disorder treatment, and for other purposes.

S. 3291

At the request of Mr. CRAMER, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 3291, a bill to amend the Immigration and Nationality Act to eliminate the per-country numerical limitation for employment-based immigrants, to increase the per-country numerical limitation for family-sponsored immigrants, and for other purposes.

S. 3348

At the request of Ms. BALDWIN, the names of the Senator from Maine (Mr. KING) and the Senator from Michigan (Mr. PETERS) were added as cosponsors of S. 3348, a bill to amend the Harmful Algal Blooms and Hypoxia Research and Control Act of 1998 to address harmful algal blooms, and for other purposes.

S. 3362

At the request of Mr. TILLIS, the name of the Senator from Nebraska (Mr. RICKETTS) was added as a cosponsor of S. 3362, a bill to amend the Higher Education Act of 1965 to require additional information in disclosures of foreign gifts and contracts from foreign sources, restrict contracts with certain foreign entities and foreign countries of concern, require certain staff and faculty to report foreign gifts and contracts, and require disclosure of certain foreign investments within endowments.

S. 3426

At the request of Mr. MARKEY, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 3426, a bill to reauthorize the YouthBuild program, and for other purposes.

S. 3440

At the request of Mr. VAN HOLLEN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 3440, a bill to prohibit the sale and distribution of expanded polystyrene food service ware, expanded polystyrene loose fill, and expanded polystyrene coolers, and for other purposes.

S. 3456

At the request of Mr. ROUNDS, the names of the Senator from Virginia

(Mr. KAINE), the Senator from North Carolina (Mr. BUDD), the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from Nebraska (Mr. RICKETTS), the Senator from Maine (Ms. COLLINS), the Senator from South Carolina (Mr. GRAHAM), the Senator from Wyoming (Mr. BARRASSO), the Senator from West Virginia (Mrs. CAPITO), the Senator from Iowa (Mr. GRASSLEY), the Senator from Oklahoma (Mr. LANKFORD), the Senator from Wyoming (Ms. LUMMIS), the Senator from Missouri (Mr. SCHMITT), the Senator from Utah (Mr. LEE), the Senator from Utah (Mr. ROMNEY), the Senator from North Dakota (Mr. HOEVEN), the Senator from Arkansas (Mr. COTTON), the Senator from Arkansas (Mr. BOOZMAN), the Senator from Alaska (Ms. MURKOWSKI), the Senator from North Carolina (Mr. TILLIS), the Senator from Alaska (Mr. SULLIVAN), the Senator from Montana (Mr. DAINES), the Senator from Alabama (Mrs. BRITT), the Senator from Louisiana (Mr. KENNEDY), the Senator from Florida (Mr. SCOTT), the Senator from California (Mr. PADILLA), the Senator from Nebraska (Mrs. FISCHER) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of S. 3456, a bill to provide a retroactive effective date for the promotions of senior officers of the Armed Forces whose military promotions were delayed as a result of the suspension of Senate confirmation of such promotions.

S.J. RES. 45

At the request of Mrs. SHAHEEN, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S.J. Res. 45, a joint resolution proposing an amendment to the Constitution of the United States relating to contributions and expenditures intended to affect elections.

S.J. RES. 49

At the request of Mr. CASSIDY, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor 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. 333

At the request of Mr. DURBIN, the name of the Senator from Arkansas (Mr. BOOZMAN) 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. RISCH, the name of the Senator from Illinois (Ms. DUCKWORTH) 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.

STATEMENTS ON INTRODUCED  
BILLS AND JOINT RESOLUTIONS

By Mr. DURBIN (for himself and Ms. DUCKWORTH):

S. 3468. A bill to require rulemaking by the Administrator of the Federal Emergency Management Agency to address considerations in evaluating the need for public and individual disaster assistance, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

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. 3468

*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 “Fairness in Federal Disaster Declarations Act of 2023”.

## SEC. 2. REGULATORY ACTION REQUIRED.

(a) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Administrator of the Federal Emergency Management Agency (in this Act referred to as the “Administrator”) shall amend the rules of the Administrator under section 206.48 of title 44, Code of Federal Regulations, as in effect on the date of enactment of this Act, in accordance with the provisions of this Act.

(b) NEW CRITERIA REQUIRED.—The amended rules issued under subsection (a) shall provide for the following:

(1) PUBLIC ASSISTANCE PROGRAM.—Such rules shall provide that, with respect to the evaluation of the need for public assistance—

(A) specific weighted valuations shall be assigned to each criterion, including—

(i) estimated cost of the assistance, 10 percent;

(ii) localized impacts, 40 percent;

(iii) insurance coverage in force, 10 percent;

(iv) hazard mitigation, 10 percent;

(v) recent multiple disasters, 10 percent;

(vi) programs of other Federal assistance, 10 percent; and

(vii) economic circumstances described in subparagraph (B), 10 percent; and

(B) the Administrator shall consider the economic circumstances of—

(i) the local economy of the area affected by the disaster, including factors such as the local assessable tax base and local sales tax, the median income as it compares to that of the State, and the poverty rate as it compares to that of the State; and

(ii) the economy of the State, including factors such as the unemployment rate of the State, as compared to the national unemployment rate.

(2) INDIVIDUAL ASSISTANCE PROGRAM.—Such rules shall provide that, with respect to the evaluation of the severity, magnitude, and impact of the disaster and the evaluation of the need for assistance to individuals—

(A) specific weighted valuations shall be assigned to each criterion, including—

(i) concentration of damages, 20 percent;

(ii) trauma, 20 percent;

(iii) special populations, 20 percent;

(iv) voluntary agency assistance, 10 percent;

(v) insurance, 20 percent;

(vi) average amount of individual assistance by State, 5 percent; and

(vii) economic considerations described in subparagraph (B), 5 percent; and

(B) the Administrator shall consider the economic circumstances of the area affected by the disaster, including factors such as the local assessable tax base and local sales tax, the median income as it compares to that of the State, and the poverty rate as it compares to that of the State.

(c) EFFECTIVE DATE.—The amended rules issued under subsection (a) shall apply to any disaster for which a Governor requested a major disaster declaration under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) that was denied on or after January 1, 2012.

## SUBMITTED RESOLUTIONS

SENATE RESOLUTION 493—EX-  
PRESSING THE SENSE OF THE  
SENATE IN SUPPORT OF THE  
PEACEFUL, DEMOCRATIC, AND  
ECONOMIC ASPIRATIONS OF THE  
PEOPLE OF SRI LANKA

Mr. CARDIN (for himself and Mr. RISCH) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 493

Whereas, in recent years, Sri Lanka has undergone a political, economic, and humanitarian crisis causing millions of Sri Lankans to live in dire conditions, with the World Food Program estimating that 17 percent of the population is experiencing food insecurity and severe shortages of medicine and fuel;

Whereas the crisis in Sri Lanka stems from factors such as corruption, financial mismanagement, and failures in the rule of law, further exacerbated by the Government of Sri Lanka entering into expensive projects involving predatory lending by entities associated with the People's Republic of China;

Whereas, beginning in March 2022, tens of thousands of Sri Lankans participated in largely peaceful protests lasting more than 100 days, leading to the resignation of President Gotabaya Rajapaksa and the appointment of Ranil Wickremesinghe as the new President of Sri Lanka;

Whereas the Wickremesinghe government, citing economic constraints, indefinitely postponed local elections scheduled for March 9, 2023, in violation of the Constitution of Sri Lanka;

Whereas, on February 20, 2023, thousands of largely peaceful protestors demonstrated against the decision to postpone local elections, to which the Sri Lankan police responded by firing tear gas and water cannons;

Whereas the Government of Sri Lanka continues to repress dissent and protest, conduct surveillance and harass members of civil society, and use the Prevention of Terrorism Act to target political opposition members of ethnic and religious minority groups, activists, and journalists;

Whereas the Government of Sri Lanka continues to participate in and facilitate the illegal appropriation of land in the North and East, areas of historical habitation of Tamil speaking peoples and various ethnic and religious groups;

Whereas the Government of Sri Lanka refuses to conduct transparent and independent investigations into credible allegations of corruption, historic atrocities, and other gross violations of human rights against Sinhalese, Tamil, and Muslim communities, and the United Nations and others have recognized that longstanding impunity for corruption and other human rights viola-

tions and abuses is a root cause of the current crisis and that many actors responsible for the current crisis have been implicated in abuses dating back to the civil war and the JVP insurrection;

Whereas, for more than 30 years, Sri Lanka was enveloped in a civil war in which, according to United Nations reports, tens of thousands of Sri Lankans died and thousands more were raped, tortured, forcibly disappeared, or went missing;

Whereas United Nations reports maintain that members of the Liberation Tigers of Tamil Eelam (LTTE) and members of the Government and security services of Sri Lanka were implicated in horrific atrocities and human rights violations and abuses against Sri Lankan civilians during the civil war;

Whereas, on multiple occasions, the Government of Sri Lanka has publicly committed to pursuing meaningful justice and accountability for conflict-related crimes and grievances, including in President Mahinda Rajapaksa's May 2009 joint statement with United Nations Secretary-General Ban Ki-Moon and in the government of then-Prime Minister Ranil Wickremesinghe's cosponsoring of United Nations Human Rights Council resolution 30/1, committing to a holistic transitional justice strategy, including a commission for truth, justice, reconciliation, and non-recurrence and a judicial mechanism to prosecute violations and abuses of human rights and violations of international humanitarian law;

Whereas, in January 2016, under then-Prime Minister Wickremesinghe, the Government of Sri Lanka established a Consultation Task Force on Reconciliation Mechanisms led by respected members of Sri Lankan civil society, which spoke to more than 7,000 Sri Lankans and issued a 700-page report with findings and recommendations about what the Sri Lankan people wanted from the Sri Lankan government in relation to justice and reconciliation, including recommendations supporting international involvement in certain transitional justice mechanisms;

Whereas successive Sri Lankan governments have failed to live up to those commitments and address the desire of Sri Lankan victims and survivors for meaningful justice and accountability for the atrocities, and in March 2020, President Gotabaya Rajapaksa's administration withdrew the Government of Sri Lanka's commitment to implement Human Rights Council resolution 30/1;

Whereas the majority of the LTTE leadership were killed or disappeared during the civil war and therefore cannot stand trial for their crimes, and despite evidence implicating Sri Lankan government officials and security forces in atrocity crimes committed against Sri Lankan civilians during the war, no such officials or forces have faced justice for their crimes;

Whereas, in 2020, 2021, and 2022, the Department of State imposed visa restrictions against Sri Lankan officials for their involvement in gross violations of human rights, including torture and inhumane punishment during the civil war, but successive Sri Lankan governments have promoted and empowered those same individuals;

Whereas, in 2021 and 2022, the United States cosponsored United Nations Human Rights Council resolutions 46/1 and 51/1, mandating that the United Nations collect, analyze, and preserve information and evidence of gross violations of human rights and serious violations of international humanitarian law in Sri Lanka for future accountability processes; and

Whereas, in September 2023, the United Nations High Commissioner for Human Rights,

Volker Turk, issued a report that noted, "The 2022 economic crisis is a demonstration of the indivisibility of human rights and how impunity, corruption and the weakening of democratic and rule of law institutions ultimately impacted the economic situation. In order to achieve a path to recovery and sustainable development Sri Lanka will need to address the longer-term serious governance and accountability deficits, as well as the continuing legacy of the armed conflict." Now, therefore, be it

*Resolved*, That the Senate—

(1) supports the peaceful, democratic, and economic aspirations of the people of Sri Lanka;

(2) urges the Government of Sri Lanka to hold free and fair local and provincial elections without further delay;

(3) urges the Government and security forces of Sri Lanka to respect the rights of all Sri Lankans, including the right to protest peacefully, associate freely, and commemorate their dead;

(4) urges the Government of Sri Lanka to institute meaningful security sector reform, including by reducing the deployment of security forces across the North and East to appropriate peacetime levels, and ensure those credibly implicated in human rights abuses are removed from positions of authority;

(5) calls on the Government of Sri Lanka to promote an inclusive, pluralistic Sri Lanka through structural reforms and confidence-building measures to address corruption, nepotism, outsized expenditures on the military, minority disenfranchisement, impunity, and other issues that hamper the long-term potential growth of Sri Lanka;

(6) welcomes Sri Lanka's newly passed anticorruption legislation and calls on the Government of Sri Lanka to ensure that investigations and prosecutions of corrupt officials can move forward independently and impartially;

(7) calls on the Government of Sri Lanka to strengthen the rule of law, including by respecting and reinforcing the independence of the judiciary and independent institutions;

(8) welcomes the October 2022 passage of the 21st Amendment package by the Parliament of Sri Lanka as an initial step toward reducing centralized power and encourages further measures to alleviate a lack of meaningful checks and balances;

(9) welcomes the initial agreement by the International Monetary Fund to loan Sri Lanka \$3,000,000,000 to help address the ongoing economic crisis and urges the Government of Sri Lanka to address the recommendations of the International Monetary Fund's September 30, 2023 staff report, which notes that the "absence of visible progress on addressing corruption and holding officials to account for past behaviour raises popular concerns that officials will continue to enjoy impunity for their misconduct";

(10) urges the Government of Sri Lanka to immediately repeal or amend the Prevention of Terrorism Act and ensure that the Act or any counterterrorism laws passed to replace it are aligned with international norms and reflect inclusive consultation with Sri Lankan civil society;

(11) calls for an immediate moratorium on the appropriation of land facilitated by the Government of Sri Lanka in the North and East and restitution of appropriated lands in a way that guarantees effective access and productive use;

(12) urges the Government of Sri Lanka to fully implement the Constitution of Sri Lanka, including the 13th Amendment's commitments to devolve specified powers over land, the police, education, health, agri-

culture, housing, and finances to the provinces;

(13) urges the Government of Sri Lanka to reach a consensus with opposition parties on behalf of all Sri Lankans, including Tamils, Indian-origin Tamils, Muslims, and members of other religious and ethnic minority groups, to address longstanding issues, including those relating to human rights violations and abuses, disenfranchisement, justice, and accountability, and work toward a sustainable political solution that promotes reconciliation;

(14) calls on the Government of Sri Lanka to accept and use Sri Lanka's own Consultation Task Force report as the basis for taking action in support of justice, accountability, and reconciliation, and further calls on the government to design and implement all justice measures, including a potential truth commission, with input from, the participation of, and support from victims and survivors; and

(15) urges the Government of Sri Lanka to engage positively and cooperatively with the United Nations' Human Rights Council, agencies, and special procedure mandate holders and facilitate the implementation of their recommendations on good governance, rule of law, corruption, justice, accountability, and human rights.

#### SENATE RESOLUTION 494—EXPRESSING THE NEED FOR THE FEDERAL GOVERNMENT TO ESTABLISH A NATIONAL BIODIVERSITY STRATEGY FOR PROTECTING BIODIVERSITY FOR CURRENT AND FUTURE GENERATIONS

Mr. MERKLEY (for himself, Mr. BLUMENTHAL, Mr. WHITEHOUSE, Mr. CARDIN, Mr. WELCH, and Mr. BOOKER) submitted the following resolution; which was referred to the Committee on Environment and Public Works:

S. RES. 494

Whereas the planet is facing an unprecedented biodiversity crisis, largely driven by human activity;

Whereas recent scientific studies have confirmed human-driven activities are significantly damaging the ecosystems of the planet by—

(1) altering 75 percent of the area of terrestrial environments and 66 percent of marine environments;

(2) directly exploiting wildlife and plant species;

(3) accelerating climate change, directly harming nature and exacerbating other threats;

(4) polluting air, land, and water; and

(5) introducing invasive species;

Whereas recent scientific studies have shown that human-driven threats have harmed biodiversity by—

(1) threatening approximately 1,000,000 species with imminent or near extinction, including—

(A) more than 40 percent of amphibians;

(B) 33 percent of corals, sharks, shark relatives, and marine mammals;

(C) more than 60 percent of cycads and more than 30 percent of conifer trees; and

(D) approximately 10 percent of the more than 5,000,000 insect species on the planet; and

(2) causing population sizes of wild species to decline by—

(A) an average of 68 percent for species of mammals, birds, fish, amphibians, and reptiles;

(B) approximately 3,000,000 birds in North America since 1970;

(C) approximately 50 percent for species of live corals; and

(D) an average of more than 20 percent overall;

Whereas human activity is accelerating the decline of important economic and cultural services, including—

(1) land productivity, with a reduction in the productivity of approximately ¼ of the land surface;

(2) land and freshwater resources, with more than ⅓ of the land surface and 75 percent of freshwater resources devoted to crop or livestock production;

(3) global crops, with approximately \$500,000,000,000 of global crops at risk due to pollinator loss;

(4) marine fisheries, with ⅓ of marine fisheries overfished, 60 percent fished at capacity, and only 7 percent fished below capacity; and

(5) environmental health, with 25 percent of greenhouse gas emissions caused by land clearing, crops, and fertilization;

Whereas the decline of biodiversity disproportionately impacts indigenous and other communities that rely on nature for essential services, including Native Americans and Alaska Natives, who offer unique perspectives and traditional ecological knowledge critical to preserving biodiversity;

Whereas the decline of biodiversity and ecosystem services observed worldwide is occurring in the United States;

Whereas the United States possesses an abundance and great diversity of species of fish, wildlife, and plants that are of significant value to the United States for intrinsic, aesthetic, ecological, educational, cultural, recreational, economic, and scientific reasons;

Whereas the decline of biodiversity presents a direct threat to the security, health, and well-being of the people of the United States by causing economic harm through the loss of valuable ecosystem services, including zoonotic disease buffering, pollination, water filtration, soil replenishment, the provision of game species, medicinal products, and recreational opportunities;

Whereas communities of color, low-income communities, Tribal communities, and other populations that have been systematically and deliberately targeted for citing environmentally degrading activities and excluded from conservation efforts face disproportionate impacts from biodiversity loss;

Whereas Federal agencies are tasked with protecting and conserving biodiversity in the United States and worldwide through a variety of legal and policy channels;

Whereas there is no coordinating policy to maximize the effectiveness of the conservation efforts of the Federal Government and collaboration by the Federal Government with States, local governments, Indian Tribes, private landowners, and other non-governmental stakeholders;

Whereas the United States should play a leading role on the international stage in addressing the biodiversity crisis, yet the United States—

(1) is not a party to—

(A) the Convention on Biological Diversity, done at Rio de Janeiro June 5, 1992;

(B) the Convention on the Conservation of Migratory Species of Wild Animals (commonly known as "the Convention on Migratory Species"), done at Bonn November 6, 1979; or

(C) other relevant international agreements;

(2) does not issue a periodic national biodiversity outlook, contrary to most other countries; and

(3) does not have a national biodiversity strategy as part of the Intergovernmental

Science-Policy Platform on Biodiversity and Ecosystem Services; and

Whereas scientific research highlights essential pathways forward, including—

(1) establishing the effective conservation, restoration, and durable protection of not less than 30 percent of an ecologically representative area of the lands, freshwaters, and oceans in the United States and in the world by 2030 by working collaboratively with governments, land owners, fishers, indigenous peoples, communities, and others;

(2) restoring or rewilding species, degraded habitats, and ensuring integrity and connectivity of protected areas;

(3) retaining and protecting highly intact ecosystems;

(4) reducing pesticide use to levels not higher than necessary for ecologically sustainable and safe food production; and

(5) addressing the threats posed by invasive species: Now, therefore, be it

*Resolved*, That it is the sense of the Senate that—

(1) it is in the national interest for the Federal Government to establish a national biodiversity strategy to—

(A) ensure the conservation and restoration of the biodiversity of the United States;

(B) secure and restore the ecosystem services provided by nature for current and future generations;

(C) deliver on the United Nations Sustainable Development Goals;

(D) set ambitious, yet necessary, goals for protecting biodiversity in the coming decades;

(E) promote social equity and justice in the conservation of the biodiversity of the United States;

(F) coordinate the actions of Federal agencies to advance the conservation of biodiversity;

(G) promote collaboration among Federal, State, and Tribal governments, nongovernmental stakeholders, civil society, and international parties to advance conservation;

(H) honor the Federal trust obligations to Indian Tribes and Native Americans; and

(I) provide global leadership in addressing the biodiversity crisis; and

(2) the national biodiversity strategy described in paragraph (1) should include direction on—

(A) achieving the national goal of conserving not less than 30 percent of the lands and waters of the United States to protect biodiversity and address climate change by 2030 (referred to in this resolution as “30x30”), supporting international efforts to achieve the same goal on a global scale, and setting other goals necessary to reduce the threats to biodiversity as indicated by the best available scientific information;

(B) taking action to protect threatened, endangered, and at-risk species from further imperilment or extinction;

(C) climate adaptation and mitigation strategies for biodiversity conservation, including—

(i) leading international agreements to combat climate change, including the decision of the 21st Conference of Parties of the United Nations Framework Convention on Climate Change adopted in Paris on December 12, 2015 (commonly known as the “Paris Agreement”);

(ii) establishing climate refugia and climate corridors for conservation of species affected by climate change; and

(iii) the rapid build-out of renewable energy;

(D) reviewing existing laws, plans, programs, and strategies that are relevant to addressing threats to biodiversity to assess how the laws, plans, programs, and strategies can contribute to the objectives of this resolution and, as necessary, recommending new laws, plans, programs, and strategies;

(E) ensuring integration of biodiversity protection across the activities of the Federal Government, including foreign policy and foreign assistance;

(F) advancing conservation in collaboration with State and Tribal governments and on private lands through incentives, funding, technical support, and partnerships;

(G) incorporating indigenous knowledge and practices to support conservation and biodiversity, safeguarding the rights and needs of indigenous peoples, and ensuring fulfillment of the Federal trust obligations that apply to government decisionmaking that impacts the interests of Native Americans;

(H) ensuring equitable access to nature, inclusive decisionmaking on biodiversity protection, and just allocations of resources to achieve the goals of this resolution, including with respect to systematically and deliberately targeted populations such as communities of color, low-income communities, and Native American communities;

(I) establishing regular monitoring and reporting on the status of biodiversity in the United States and globally, including a quadrennial assessment reported to Congress and the people of the United States;

(J) prioritizing programs to identify knowledge gaps and accelerate research and development of new conservation solutions across sectors;

(K) assessing and integrating the role of the United States in international biodiversity, ecosystem services, and nature conservation in—

(i) national security and foreign policy strategies, including in international development policies, planning and finance, diplomatic dialogues, and trade agreements; and

(ii) advancing global adoption of and progress toward 30x30; and

(L) funding existing conservation programs, developing new funding sources, and reducing subsidies that harm biodiversity in amounts commensurate with the scale of the harm to biodiversity.

#### SENATE RESOLUTION 495—HONORING THE 30TH ANNIVERSARY OF THE PARTNERSHIP BETWEEN THE STATE OF NEBRASKA AND THE CZECH REPUBLIC UNDER THE STATE PARTNERSHIP PROGRAM

Mr. RICKETTS (for himself and Mrs. FISCHER) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 495

Whereas Nebraska has the highest percentage of citizens with Czech ancestry of any State in the United States;

Whereas the State Partnership Program was created in 1993 to link a State's National Guard with a partner nation's military, security forces, and disaster response organizations in a cooperative, mutually beneficial relationship;

Whereas, in July 1993, the partnership between the State of Nebraska and the Czech Republic under the State Partnership Program was established;

Whereas the State Partnership Program has fostered military-to-military cooperation and enhanced interoperability between units of the Nebraska National Guard and the Armed Forces of the Czech Republic;

Whereas that cooperation has included joint training exercises, exchanges of personnel, and sharing of military expertise and practices;

Whereas, since 1993, the Nebraska National Guard has executed more than 300 engage-

ments with the Armed Forces of the Czech Republic and has engaged with more than 2,500 members of those forces;

Whereas the State Partnership Program has been mutually beneficial for the Nebraska National Guard and the Armed Forces of the Czech Republic, strengthening diplomatic, military, and cultural ties and contributing to regional and international security and cooperation;

Whereas the State Partnership Program has better prepared the Armed Forces of the Czech Republic for North Atlantic Treaty Organization (NATO) exercises, integration in NATO air mobility operations, cyber defense, and combined exercises with other State Partnership Program partners;

Whereas the Czech Republic has been a trusted and valuable member of the NATO alliance since the Czech Republic joined the alliance in 1999;

Whereas the Czech Republic has contributed to various NATO-led missions, including in Afghanistan, where 11,500 Czech soldiers were deployed and 14 were killed in action fighting the Taliban;

Whereas the Czech Republic has provided significant military and humanitarian support to Ukraine and Ukrainian refugees in response to Russia's unprovoked and illegal invasion of Ukraine in February 2022; and

Whereas the Czech Republic has been recognized with awards for joint military operations carried out in cooperation with the United States, NATO achievements, and acts of heroism and service: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes the cooperation and beneficial relationship between the Czech Republic and the State of Nebraska and the steadfast partnership between the Czech Republic and the United States over the past 30 years;

(2) expresses appreciation for the commitment of the Armed Forces of the Czech Republic to the Nebraska National Guard in advancing peace, stability, and mutual understanding;

(3) expresses continued support for the State Partnership Program between the State of Nebraska and the Czech Republic;

(4) commends the Czech Republic for committing to meet the NATO target of spending at least two percent of its Gross Domestic Product on defense in 2024; and

(5) commends the Czech Republic for increasing its cooperation with Taiwan, including collaboration that may enhance Taiwan's defense posture.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 1376. Ms. ERNST submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. SCHUMER to the bill H.R. 2670, 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; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

**SA 1376.** Ms. ERNST submitted an amendment intended to be proposed to amendment SA 1373 proposed by Mr. SCHUMER to the bill H.R. 2670, 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; which was ordered to lie on the table; as follows:

In the motion introduced by Mr. Schumer to recommit the conference report to accompany H.R. 2670, the National Defense Authorization Act (NDAA) for Fiscal Year 2024, strike “that makes” and all that follows through the period at the end and insert “that includes section 716 of the House-passed NDAA”.

#### AUTHORITY FOR COMMITTEES TO MEET

Mr. REED. Madam President, I have seven 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 FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Tuesday, December 12, 2023, at 2:30 p.m., to conduct a classified briefing.

##### COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions is authorized to meet during the session of the Senate on Tuesday, December 12, 2023, at 10 a.m., to conduct a hearing.

##### COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Tuesday, December 12, 2023, at 10 a.m., to conduct a hearing.

##### COMMITTEE ON RULES AND ADMINISTRATION

The Committee on Rules and Administration is authorized to meet during the session of the Senate on Tuesday, December 12, 2023, at 3 p.m., to conduct a hearing.

##### SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Tuesday, December 12, 2023, at 2:30 p.m., to conduct a closed briefing.

##### SUBCOMMITTEE ON PUBLIC LANDS, FORESTS, AND MINING

The Subcommittee on Public Lands, Forests, and Mining of the Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Tuesday, December 12, 2023, at 2:30 p.m., to conduct a hearing.

##### PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

The Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Tuesday, December 12, 2023, at 10:15 a.m., to conduct a hearing.

#### PRIVILEGES OF THE FLOOR

Mr. TESTER. Madam President, I would like to ask unanimous consent that privileges of the floor be granted to Joe Farinash for the remainder of 2023.

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

#### ORDERS FOR WEDNESDAY, DECEMBER 13, 2023

Mr. REED. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 10 a.m. on Wednesday, December 13; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; that upon the conclusion of morning business, the Senate resume consideration of the conference report to accompany H.R. 2670 postcloture; further, that all time during adjournment, recess, morning business, and leader remarks count postcloture.

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

#### ADJOURNMENT UNTIL 10 A.M. TOMORROW

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

There being no objection, the Senate, at 6:30 p.m., adjourned until Wednesday, December 13, 2023, at 10 a.m.

#### CONFIRMATION

Executive nomination confirmed by the Senate December 12, 2023:

##### EXECUTIVE OFFICE OF THE PRESIDENT

HARRY COKER, JR., OF KANSAS, TO BE NATIONAL CYBER DIRECTOR.