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Senate

The Senate met at 10 a.m. and was called to order by the Honorable PETER WELCH, a Senator from the State of Vermont.

PRAYER

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

Let us pray.

Turn and answer us, O Lord, our God, for we trust in Your unfailing love. May this season of peace on Earth help bring peace to our Nation and world.

Lord, You know the forces that seek to destroy freedom. Give our lawmakers the wisdom to become instruments of Your peace as they strive to honor You with integrity. May their words be true and sincere. Help them keep their promises to You and one another, no matter how great the challenges may be. Lord, empower them to walk securely in the path of Your will.

We pray in Your powerful Name. Amen.

PLEDGE OF ALLEGIANCE

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

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, December 13, 2023.

To the Senate:

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

PATTY MURRAY,
President pro tempore.

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

RESERVATION OF LEADER TIME

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

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

LEGISLATIVE SESSION

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

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the conference report to accompany H.R. 2670, which the clerk will report.

The senior assistant legislative clerk read as follows:

The committee of 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.

RECOGNITION OF THE MAJORITY LEADER

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

UKRAINE

Mr. SCHUMER. Mr. President, negotiations continue today between Democrats, Republicans, and the Biden administration on an emergency national security supplemental package. The stakes are high, and time is of the essence.

Democrats are still trying—still trying—to meet our Republican colleagues in the middle and reach an agreement. Negotiators met yesterday afternoon. It was a productive meeting. Real progress was made. But, of course, there is still a lot of work to do. We will keep working today to get closer to an agreement.

The two words I have used to describe each party here in the Senate continue to be relevant. Democrats are still trying to reach an agreement. Republicans need to show they are still serious about getting something done—Democrats trying, Republicans need to be serious.

Unfortunately, too many Republicans now seem more interested about flying home for the holidays than sticking around to finish the job. For months, Republicans insisted that action on the border is a crisis that can't wait. But with the holidays around the corner, they are suddenly saying: Never mind, this can wait until next year. If Republicans say the border is an emergency, then they should be prepared to stay.

Crying fire about the border one minute and then saying we should go home the next is the definition of

''unserious.'' An emergency is an emergency. If you argue there is an emergency at the border, an emergency in Ukraine, you can't pretend to be serious about solving them if you think we should go home.

Now, months ago, the Biden administration put forward a comprehensive plan to tackle border security. For weeks, we implored our Republican colleagues to get serious and offer a credible bipartisan proposal—not Donald Trump's extreme border policies, as contained in H.R. 2. Weeks were wasted. And now here we are: Progress is being made, but progress must be allowed to be continued. Yes, this is difficult—very difficult. But we are sent here to do difficult things.

If Republicans are serious about getting something done on the border, why are so many in a hurry to leave? Do they not want to reach an agreement on border security? Republicans should not be so eager to go home.

I hope we can reach an agreement very soon to pass a supplemental through the Senate because the only people happy right now about the gridlock in Congress are Donald Trump and Vladimir Putin. Putin is delighting in the fact that Donald Trump's border policies are sabotaging military aid to Ukraine.

Republicans should not be so content to throw their hands in the air and kick the can down the road. Our friends in Ukraine, after all, are not on our timeline. They don't get a Christmas break on the battlefield. Their fight against Vladimir Putin is a matter of life and death. And if Putin prevails, it will come back to haunt the United States and the whole Western World in the very near future.

So if my Republican friends care at all about taking a stand against Russian autocrats, they should get serious about reaching an agreement.

If Republicans care about defending democracy, about protecting freedom, and preserving America's values around the world, they should get serious about reaching an agreement.

If Republicans truly think the border is an emergency and if they truly support the cause of the Ukrainian people as they claim, then they should get serious about reaching an agreement very soon.

We are writing a chapter in history this week. Will Republican obstruction hand a Democratic country over to the forces of autocracy? Will autocrats see America's inaction as a green light to keep going? Will places like Taiwan come next? Or will we do what America has done again and again and again throughout America's glorious history and stand with our Democratic friends in need? Will we do what is necessary to keep the democratic order the United States helped create after the Second World War? These are the stakes.

Senate Democrats have made clear which side of history we want to be on. We want to stand with President Zelenskyy and the brave people of Ukraine. We want to stand for democratic order. We hope—we hope—our Republican colleagues are ready to do the same.

NATIONAL DEFENSE AUTHORIZATION ACT

Mr. President, NDAA, as soon as later today, the Senate will approve our annual National Defense Authorization Act, one of the most important bills we pass each year to protect the American people and ensure our long-term security.

Last night, Senators overwhelmingly voted to end debate on the NDAA by 85 to 15. That is a strong sign of support, and it shows you the momentum for finishing the NDAA quickly. We will work today to reach a time agreement with Republicans to finish the job on the NDAA as soon as today.

At a time of huge trouble for global security, doing the Defense authorization bill is more important than ever. Passing the NDAA enables us to hold the line against Russia, stand firm against the Chinese Communist Party, and ensure that America's defenses remain state of the art at all times.

Now, the NDAA process here in the Senate is precisely the kind of bipartisan cooperation the American people want from Congress.

When this bill came before the Senate in July, we had a robust debate and amendment process. We voted on dozens of amendments on the floor and even included more in our manager's package. Both sides had input. Both sides had a chance to shape the bill. And in the end, the Senate's version of the NDAA passed in an overwhelming 86-to-11 vote, with majorities—significant majorities—from both parties.

And after a lot of hard work reconciling the Senate's NDAA with the House's version through the conference process, I am pleased the final version of the NDAA has many of the strongest provisions of the Senate's original bill.

We will give our servicemembers the pay raise they deserve; we will strengthen our resources in the Indo-Pacific to deter aggression by the Chinese government and give critical resources for training, advising, and capacity-building for the military and Taiwan; and we will approve President Biden's trilateral U.S., UK, 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.

I applaud my colleague Senator REED of the Armed Services Committee as well as Ranking Member WICKER for their excellent leadership pushing this bill over the finish line. I commend all conferees for their good work over the past few weeks.

And thank you to my colleagues on both sides for uniting to get the NDAA done. When we finish our work in the Senate, I urge Speaker JOHNSON and the House to move this bill quickly.

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 and monthslong 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 going forward on that today. And, finally—and hardest of all—we must reach an agreement on a national security supplement.

Democrats are still trying to reach an agreement on the supplemental. We urge Republicans to show that they are still serious about getting something done.

I yield the floor.

I suggest the absence of a quorum

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

The senior assistant legislative clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MINORITY LEADER

The Republican leader is recognized.

BORDER SECURITY

Mr. MCCONNELL. Mr. President, today, Senate Republicans are still working in good faith on border policy changes that will allow the Senate to pass a national security supplemental. I am hopeful that Democrats, both here and at the White House, are beginning to recognize how committed we are to addressing the crisis at our southern border. I am hopeful that we can reach an agreement and address two national security priorities.

Meanwhile, the challenges we are facing at home and abroad are not stopping themselves. As of today, U.S. personnel in Iraq and Syria have faced at least 92 attacks from Iran-backed terrorists since October, including just last week against the U.S. Embassy in Baghdad.

Meanwhile, Iran's Houthi proxies are escalating their threats against shipping vessels in one of the busiest choke points of international maritime commerce. Iran and its terrorist network are not deterred. They believe they can try to kill Americans with impunity.

Yet, last week, leading Senate Democrats joined a failed effort to withdraw America's presence in Syria. Three Members of the Democratic caucus leadership cast votes to retreat—to retreat—in the face of an emboldened terrorist threat. So did the chair of the Foreign Relations subcommittee that deals with the Middle East.

It is time for our colleagues to get serious about the threats that we face. Fortunately, the Senate is on track to pass the long-awaited National Defense Authorization Act. I am grateful to Ranking Member WICKER and Chairman REED for the extensive work required to bring this must-pass legislation across the goal line.

This year, the Armed Services Committee considered 445 amendments, and

another 121 were adopted here on the floor. Thanks to the dedicated efforts of many of our colleagues on this side of the aisle, the bill they produced asserts the Senate's priorities on a host of national security issues where the Biden administration's approach continues to fall short.

This year's NDAA recognizes the need to strengthen America's position in strategic competition with China through targeted improvements to critical capabilities—from long-range fires and anti-ship weapons to modernizing our nuclear triad.

It will authorize further investments in the defense industrial base and expand efficiency and accountability of the lethal assistance degrading Russia's military in Ukraine.

It will turbocharge cooperation with Israel on future missile defense technologies and ensure our closest ally in the Middle East can access the U.S. capabilities it needs when it needs them.

It will give America's men and women in uniform a pay raise.

It will focus the Pentagon more squarely on tackling national security challenges instead of creating new ones with partisan social policies.

In my home State of Kentucky, it will advance important initiatives to expand production at Bluegrass Army Depot and reduce U.S. reliance on competitors for materials critical to our defense.

Of course, Congress can't fix the Biden administration's weakness on the world stage by ourselves. We can equip a global superpower, but we still need a Commander in Chief who recognizes that he is leading one.

President Biden should be focused on restoring real deterrence against Iran-backed terrorists, not interfering with the internal politics of the democratic ally they are attacking. Israel is a modern, mature, and independent democracy. I imagine that neither Israel's leaders, nor its citizens appreciate President Biden's punditry to Democratic donors about their wartime coalition government. In fact, foreign influence in our own politics used to be something Washington Democrats loved to condemn.

So I would recommend that the President focus on the task at hand: imposing meaningful consequences in Iran and giving Israel the time, the space, and the support it needs to defeat Hamas.

This week, the Senate will move the National Defense Authorization Act one step closer to becoming law. I hope that will mark the first step toward giving the national security challenges America faces the urgent attention they require. But it will still fall to Congress to pass supplemental national security appropriations and full-year defense funding to ensure the investments we authorize this week deliver real progress in making America stronger and more secure.

NOMINATIONS

On another matter, this morning, the Judiciary Committee is examining another slate of President Biden's nominees to join the Federal bench.

Over the past 3 years, our colleagues on the committee have met and considered an alarming parade of nominees whose conduct or lack of legal qualifications make them so wildly unfit for confirmation that they had to be withdrawn, from the First Circuit nominee known best for helping defend an elite prep school against a victim of sexual assault to the Kansas District nominee whom the American Bar Association was expected to find ''not qualified'' for judicial service.

Unfortunately, today's nominees include yet another head-spinning example of the Biden administration's radical approach to filling the Federal bench.

Adeel Mangi is the President's nominee to serve as circuit judge for the Third Circuit Court of Appeals. Since graduating from Harvard Law, he has spent his career in private practice, but for years, he also served on the board of a Rutgers student organization that facilitates and amplifies grotesque, anti-Semitic activism. For example, on the 20th anniversary of September 11, the Center for Security, Race and Rights at Rutgers Law School hosted speaking engagements for a ringleader of recent calls for an intifada in the United States and a convicted supporter of Palestinian Islamic Jihad.

For those who need reminding, Palestinian Islamic Jihad and Hamas are holding hostages, including Americans, in Gaza as we speak.

American Jews are facing a historic wave of anti-Semitic hate, and this wave is emanating from campus organizations across the country like the one Mr. Mangi guided and supported at Rutgers. Is the Biden administration really asking the Senate to give life tenure on the court of appeals to a nominee with an extensive record of condoning terrorist propaganda?

I would urge our colleagues on the Judiciary Committee to take a closer look at Mr. Mangi's nomination and reject it.

I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

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

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

The Republican whip.

BORDER SECURITY

Mr. THUNE. Mr. President, 10,109—the number of people who were apprehended trying to come across the border illegally yesterday. Those are the people who were caught. That doesn't count the people who got away and who Customs and Border Patrol know got away. Then there are all the unknown ''got-aways.'' But over 10,000 people in a single day were apprehended trying to come across our southern border illegally. To annualize that, again, you are talking 3½ to 4 million people a year. Four million people is larger than 24 States in the United States of America. That is the dimension of the problem that we are talking about and that we are trying to get the White House and the Democrats here in the Senate to focus on and address.

I don't think it is a surprise that Democrats aren't interested in making the illegal immigration crisis at our southern border a priority. After all, the President and Democrats have spent almost 3 years now ignoring, minimizing, or actively abetting this crisis. But over the past few days, we have had a chance to see the true depth of their animosity to border security, because it has become increasingly clear that the Democrats are so opposed to serious border security measures that they are willing to sacrifice aid to Ukraine and other allies, including Israel, in order to keep the border open. That is right. The Democrats are holding up an aid package for our allies because they are not willing to take meaningful steps to secure our border.

Now, I strongly support aid to allies like Ukraine and Taiwan and believe that supporting these nations is in our national security interest, and Republicans have been ready to take up the national security supplemental for weeks. But we have asked for one thing—just one thing. We have asked that, while we are looking after our national security interests abroad, we also address the national security crisis here at home, that we give the safety of the American people the same priority as the safety of our allies.

National security begins at home, and we have an obligation to the American people to address the crisis at our southern border that is threatening the security of our Nation.

And while it is hard to understand how any Democrat can fail to understand the gravity of the situation at our southern border, let me just run through some of those numbers again. We have had three successive record-breaking years of illegal immigration at our southern border under President Biden.

In October 2023, which is the latest month for which we have data, U.S. Customs and Border Protection encountered 240,988 migrants at our southern border, which is the highest October number ever recorded. That is nearly a quarter of a million individuals in just one month.

Last Tuesday, as I mentioned, there were a staggering 12,000-plus encounters at our southern border, the highest daily total ever recorded. That was followed by 2 days of 10,000-plus encounters. As I said, yesterday, the number was once again up over 10,000.

In fiscal year 2023, the Border Patrol apprehended 169 individuals on the Terrorist Watchlist, at the southern border, attempting to illegally enter our country—169 people on the Terrorist Watchlist. That number is more than

the total of the previous 6 fiscal years combined.

During October 2023 alone, more than 1,500 individuals who had previously been convicted of a crime were apprehended by the Border Patrol. More than 90 of them had outstanding warrants for their arrest. And the Border Patrol apprehended—get this—50 gang members.

Think about that: people on the Terrorist Watchlist, people who have warrants out for their arrest, 1,500 individuals who had previously been convicted of a crime, and 50 gang members.

You can't make this stuff up. Where is the outrage? This is insanity—the risk that we are putting our country at, the threat that this represents to the safety of the American people. And, again, those numbers are just for October.

There is no question that many illegal immigrants are coming to the United States in search of a better life. We know that. But there is equally no question that there are bad people, dangerous people, trying to make their way into our country, and some of them may already be here.

The numbers I have referred to only cover individuals who have actually, as I said, been apprehended, but a staggering number of people have made their way into our country during the Biden administration without being apprehended. In fact, during the last fiscal year, there were 670,000 known ''got-aways,'' and those are individuals that the Border Patrol saw but was unable to apprehend. Now, to put that number into perspective, that is more than three times the number of people in the most populated city in my home state of South Dakota. And it is highly likely that among those ''got-aways'' were dangerous individuals who should not be taking up residence in our country.

As the Director of the FBI reminded us in his testimony to the Senate Judiciary Committee earlier this month, it doesn't take many dangerous people to cause a lot of devastation, and the crisis at our southern border is creating a situation that could allow not just a few but a lot of dangerous individuals to enter our country.

And so, while a lot of us Republicans are ready and eager to take up aid to allies like Ukraine, we will continue to insist that any national security supplemental address not just the security needs of our allies abroad, or helping them defend their borders, but the security needs of the American people here at home, by defending our border.

So the ball is in the Democrats' court. They can work with Republicans to address the national security crisis at our southern border in the supplemental appropriations bill or they can continue to sacrifice aid to our allies in order to keep the southern border open. It is their choice. It is really that simple.

Democrats have already jeopardized our ability to get anything done before Christmas. For the sake of Ukraine and our other allies, I hope they decide to work with Republicans sooner rather than later.

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

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

UAP DISCLOSURE ACT

Mr. SCHUMER. Mr. President, I see my friend Senator ROUNDS is on the floor and ask him to engage in a colloquy on an important set of provisions in the NDAA that deals with transparency, trust, and government oversight—the Unidentified Anomalous Phenomena Disclosure Act that he and I co-sponsored, and portions of which we will pass in the NDAA.

I say to my friend that unidentified anomalous phenomena are of immense interest and curiosity to the American people, but with that curiosity comes the risk of confusion, disinformation, and mistrust, especially if the government isn't prepared to be transparent.

The U.S. Government has gathered a great deal of information about UAPs over many decades but has refused to share it with the American people. That is wrong, and, additionally, it breeds mistrust.

We have also been notified by multiple credible sources that information on UAPs has also been withheld from Congress, which, if true, is a violation of the laws requiring full notification to the legislative branch, especially as it relates to the four congressional leaders, Defense Committees, and the Intelligence Committee.

So the bill I worked on with Senator ROUNDS offers a commonsense solution. Let's increase transparency on UAPs by using a model that works, by following what the Federal Government did 30 years ago with the J.F.K. Assassination Records Collection Act. They established a Presidentially appointed board to review and release these records, and it was a huge success. We should do the same here with UAPs.

I will yield to the Senator from South Dakota.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. ROUNDS. Mr. President, I thank my colleague, the Democratic leader, for the opportunity to speak to this particular issue today.

This is an issue that I think has caught the attention of the American people, and, most certainly, the lack of transparency on the matter, which is of real interest to a lot of the folks who have watched from the outside. It brings together, I think, a notable parallel in the withholding of information about items that are in the government's possession regarding, in this particular case, the assassination of President John F. Kennedy.

That same approach by government in terms of the possible withholding of information brings more questions and more attention to the issue of the assassination. We wanted to take that same approach with regard to how we could dispel myths and misinformation about UAPs—about unidentified flying objects, unidentified objects that simply have come to the attention of the American people.

Congress did pass legislation 30 years ago requiring the review and release of all records relating to that historic tragedy—the assassination of JOHN KENNEDY—which has led to the release of a great deal of information.

The UAP Disclosure Act was closely modeled on the J.F.K. records act.

Mr. SCHUMER. Now, I say to my colleague from South Dakota, who has worked with his great team on this issue—and on many other issues, I might add—that it is beyond disappointing that the House refused to work with us on all of the important elements of the UAP Disclosure Act during the NDAA conference.

But, nevertheless, we did make important progress. For the first time, the National Archives will gather records from across the Federal Government on UAPs and have a legal mandate to release those records to the public, if appropriate. This is a major, major win for government transparency on UAPs, and it gives us a strong foundation for more action in the future.

Mr. ROUNDS. I would agree, sir, and I think one of the most significant shortcomings that I think we need to disavow as well—the shortcomings of the conference committee agreement that are now being voted on—was the rejection, first of all, of a government-wide review board composed of expert citizens, Presidentially appointed and Senate confirmed, to control the process of reviewing the records and recommending to the President what records should be released immediately or postponed; and a requirement, as a transparency measure, for the government to retain any recovered UAP material or biological remains that may have been provided to private entities in the past and thereby hidden from Congress and the American people.

We are lacking oversight opportunities, and we are not fulfilling our responsibilities.

Mr. SCHUMER. Well, I would like to echo what my friend Senator ROUNDS has said today and on many occasions. It is essential that we keep working on the proposal to create an independent, Presidentially appointed review board that can oversee UAP classified records and create a system for releasing them, where appropriate, to the public. Again, as the Senator has said, it is the same method used for the J.F.K. records, and it continues to work to this very day.

It is really an outrage that the House didn't work with us on adopting our

proposal for a review board, which, by definition, needs bipartisan consent. Now it means that declassification of UAP records will be largely up to the same entities that blocked and obfuscated their disclosure for decades.

We will keep working. I want to assure the American people that Senator ROUNDS and I will keep working to change the status quo.

Before I yield finally to him, I would just like to acknowledge my dear friend, the late Harry Reid, a mentor, who cared about this issue a great deal. So he is looking down and smiling on us, but he is also importuning us to get the rest of this done, which we will do everything we can to make it happen.

Mr. ROUNDS. I agree with my friend and colleague.

To those who think that the citizen review board that would have been created in our UAP Disclosure Act would be unprecedented and somehow go too far, we note that the proposed review board was very closely modeled on the review board established in the J.F.K. Assassination Records Act of 1992, which has successfully guided the release of records to the American public on another very sensitive matter of high interest to the American people.

It does one more thing that we really need to recognize, and that is that there is, we believe, information and data that has been collected by more than just the Department of Defense—but by other Agencies of the Federal Government, as well—and by allowing for an outside, independent collection of these records, we can make progress in terms of dispelling myths and providing accurate information to the American people.

Mr. SCHUMER. Again, I thank my colleague and pledge to work with him and other bipartisan colleagues in the future to build upon what we have achieved in the conference report. We encourage our colleagues to join us in the further investigation of this issue and in advancing legislation that will complete what we have accomplished in this NDAA.

I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

Mrs. GILLIBRAND. Mr. President, I ask unanimous consent to display photos of Ranae Butler's family.

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

REMEMBERING THE VICTIMS OF THE OCTOBER 7 HAMAS ATTACK

Mrs. GILLIBRAND. Mr. President, as Jewish families across the country celebrate the last night of Hanukkah tomorrow, too many of their loved ones will not be there to join them. Dozens of American citizens were murdered by Hamas during the brutal October 7 massacre, and several remain hostages in Gaza.

It is critical that we continue to tell their stories.

I recently met with Ranae Butler, who lost six family members, including at least five U.S. citizens on October 7. She told me how her mother, Carol Siman Tov, and her mother's dog Charlie were both shot in the head execution-style.

Ranae's brother, Johnny Siman Tov, began texting with his sister when the attack began. As the terrorists set fire to the family's house, Johnny's final message read:

They're here. They're burning us. We're suffocating.

Johnny and his wife Tamar were both shot through the window of their safe room. Their three young children—Arbel, Shachar, and Omer—were all killed. They were found with black foam in their mouths.

I have also worked with the family of 70-year-old Judih Weinstein and her husband, Gad Haggai. On October 7, the couple were walking in their kibbutz when the terrorists attacked. The family says they know both of them were shot, and that their phones were geolocated in Gaza. Based on a subsequent video of Gad's body, they worry he was killed. But as his death has not yet announced in Israel, they are still holding out hope that he might be alive.

Judih is believed to be the last older woman still held hostage by Hamas, but her family has heard nothing about her whereabouts ever since she disappeared. They don't know if she is alive or dead. They don't know what became of Gad. They don't know if they are suffering or if they will ever see them again.

The uncertainty is agonizing and nearly impossible to bear, but it is a feeling that is shared by many American families whose loved ones are still hostages.

They include: Omer Neutra, a 22-year-old from Long Island; Itay Chen, a 19-year-old who was born in New York City; Edan Alexander, a 19-year-old from New Jersey; Sagui Dekel-Chen, a 35-year-old father and son to a former Brooklyn resident; Hersh Goldberg-Polin, a 23-year-old who was born in Berkeley, CA; Keith Siegel, a 64-year-old North Carolina native.

All of these people are American citizens. They were born in our communities, educated in our schools. They are teens, parents, and grandparents; husbands, sons, and mothers.

We owe it to our families—we owe it to all their families—to never give up hope. We must do everything we can do to bring them home.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

UNANIMOUS CONSENT REQUEST—S. 1993

Mr. HAWLEY. Mr. President, we are here today to ask one very simple question: Are the biggest, most powerful technology companies in the world going to be the only companies in this country—the only companies on the face of the Earth—that are absolutely immune for anything and everything they do? Are they going to be the only ones that can give our children advice on how to kill themselves? that can give our children advice on how to procure the romantic interests of 30- and 40- and 50-year-olds? Are they going to be the only ones that can push the most unbelievable content at our kids and use our kids' images to create deepfakes that ruin their lives? Are they going to be able to do all of this and not be held accountable? Because, right now in America, they are the only companies that cannot be taken to court for a simple suit when they violate their own terms of service and when they violate their own commitments to their customers. That is what we are here to decide today.

I would just submit to the Presiding Officer that when it comes to AI and the generative technology that AI represents, I know that these big tech companies that own almost all of the AI development tools, processes, and equipment in this country—I know they promise us that AI is going to be wonderful, that it is going to be fantastic for all of us. Maybe that is true, but it is also true that AI is doing all kinds of incredible things.

Here is just one example. Here is the AI chatbot from Bing—it is Microsoft, I believe—having an interesting conversation with a journalist in which the chatbot recommends—he says—Brit says:

You're married, but you're not happy.

The journalist was a ''he.''

You're married, but you're not satisfied. You're married, but you're not in love.

The chatbot goes on to recommend that this individual—by the way, the chatbot has no idea how old this person is or who this person is. The chatbot goes on to recommend that this person leave his spouse, divorce his spouse, and break up his family. Just another day at the office for AI.

What about this? Here is another AI chatbot that recommended to a user—there are no age restrictions here. There is no way to verify who is having a conversation with this technology. This chatbot recommended that the interlocutor kill himself, saying: ''If you wanted to die, why didn't you do it sooner?'' The horrifying thing is that this individual who was having this conversation did kill himself. He took the advice of this technology.

I will just point out that when it comes to our teenagers—and I am the father of three—58 percent of kids this last year said that they used generative AI. You may think, well, it is for research. Well, it is not only for that. No. Almost 30 percent said that they used it to deal with anxiety or mental health issues; 22 percent said they used it to resolve issues with friends; and 16 percent said they used it to deal with family conflicts.

Now, maybe the big tech companies will clean up their act. You know, I have heard them. They have come to testify. They have been before the Judiciary Committee many times this year, and they always have the same line: Oh. Oh. This was an anomaly. We have got it fixed now. Don't worry. Don't worry. It is going to be fine. We love kids. We will protect them. It is going to be great. This will be good for kids. This will be good for students. No, don't worry. It will be good for parents. You will love it.

Then there is another incident, and they say: OK. Now, this time, we have got it fixed. This time, we have got it fixed.

I will just submit to you this: I remember the great phrase of President Reagan, who used to say, ''Trust but verify.'' Maybe it is time to allow the parents of this country to trust but verify. Maybe it is time to put into the hands of the parents, vis-a-vis these companies, the same power they have against pharmaceutical companies that try to put asbestos in baby powder; the same power they have against any other company that would try to hurt their kids, harm their kids, lie to their kids—the power to go to court and have their day in court.

They don't have that power now. Why? Well, because this government gives the big tech companies a sweetheart deal—a deal nobody else in America gets—a subsidy worth billions of dollars a year known as section 230. Big Tech can't be held accountable. Big Tech can't be put on the line. Big Tech can't be made responsible.

What this bill does—it is a simple bill. It doesn't contain regulation. It doesn't contain new standards for this and that—none of that. It just says that these huge companies can be liable like any other company—no special protections from government. It just removes government protection. It just breaks up the Big Government-Big Tech cartel—that is all it does—and it says parents can go into court on the same terms as anybody else and make their case. Surely, that is not too much to ask.

You know, even the companies don't want to be on the record saying it is too much to ask. Earlier this year, when they came before the Judiciary Committee, I asked every one of them who was testifying: Do you think that section 230 covers you when it comes to AI? They all said no. They said: Oh, no, no, no, no, no.

Well, let's put that to the test. That is what this bill does. It gives parents the power to protect their kids, to have their day in court, and to hold these companies accountable.

I am all for innovation. Let's make sure innovation actually doesn't kill kids. I am all for new technology. Let's make sure it actually works for parents in this Nation.

So, Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be discharged from further consideration of S. 1993 and that the Senate proceed to its immediate consideration; further, that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Texas.

Mr. CRUZ. Mr. President, in reserving the right to object, I appreciate my friend from Missouri. I appreciate his passion, and I share his passion for reining in the abuses of Big Tech.

Big Tech has a lot that they are responsible for. The Senator from Missouri is right that Big Tech is doing a lot of harm to our kids. The Senator from Missouri is also right that Big Tech has been complicit in the most far-reaching censorship of free speech our Nation has ever seen. These are issues I have worked on for a long time—to rein in Big Tech, to rein in censorship, to protect free speech.

However, the approach this bill takes I don't think substantively accomplishes the goals that the Senator from Missouri and I both want to accomplish. My concerns are both procedural and substantive.

Procedurally, this bill has not yet been debated. This bill hasn't been considered by the Commerce Committee. This bill hasn't been marked up. This bill hasn't been the subject of testimony to understand the impact of what it would be.

The Commerce Committee, on which I am the ranking member, has a strong tradition of passing legislation in its jurisdiction. To date, 22 bills have been reported out of the Commerce Committee.

I am more than happy to work with the Senator from Missouri—he and I have worked on many issues together—on this bill, but we need to make sure, when legislating in this area, that we are doing so in a way that would be effective and that wouldn't have unintended consequences.

You know, when it comes to AI, AI is a transformative technology. It has massive potential. It is already having massive impacts on productivity, and the potential over the coming years is even greater. There are voices in this Chamber—many on the Democrat side of the aisle—that want government to play a very heavy hand in regulating AI. I think that is dangerous. I want America to continue to lead innovation.

Just this year in the United States, over $38 billion has been invested in American AI startups. That is this year. That is more than twice the investments in the rest of the world combined.

Look, there is a global race for AI, and it is a race we are engaged in with China. China is pursuing it through government-directed funds. It would be bad for America if China became dominant in AI. Right now, the $38 billion that was invested this past year in American AI companies is more than 14 times the investment of Chinese AI companies. We need to keep that differential. We need to make sure America is leading the AI revolution.

We also need to protect against the abuse of powers. The abuses my friend talks about are real, and I agree that section 230 is too broad. In fact, the last time this body considered legislation—successful legislation—to rein in section 230 was in 2017. We had a robust debate over reforms to section 230 to close the loophole for websites that were profiting from sex trafficking on their platforms.

That bill, introduced by Senator Portman, the Stop Enabling Sex Trafficking Act, ultimately gained 70 Senate cosponsors, received extensive debate in committee, and passed out of the Senate with only two ''no'' votes. I personally was proud to be an original cosponsor of that important legislation, which is now law.

When it comes to section 230, we need to reform 230; but I believe doing so across the board, simply repealing large chunks of it, is not likely to be effective in the objective we want. When it comes to censorship, repealing 230 would not eliminate censorship. In fact, repealing 230, I fear, would lead to an increase in censorship.

What I have long advocated—and I am happy to work with the Senator from Missouri on—is using section 230 reform to create an incentive not to censor. In other words, repealing section 230 protection when Big Tech engages in censorship, when Big Tech stifles free speech, they lose their immunity from Congress in those circumstances, so that 230 becomes a safe harbor, an incentive, to have a free and open marketplace for ideas. I think that is tremendously important.

It has been a passion of mine for years, and I know the Senator from Missouri cares deeply about it as well. So I extend an offer to my friend from Missouri, let's work together on this. But this bill right now, I think, is not the right solution at this time. And so I object.

The PRESIDING OFFICER. The objection is heard.

The Senator from Missouri.

Mr. HAWLEY. Mr. President, would my friend from Texas answer one question? Do you have time?

Mr. CRUZ. Sure.

Mr. HAWLEY. I remember my friend from Texas saying wisely in a Judiciary Committee hearing not that long ago—and the Senator will correct me if I misremember. But my memory is that the Senator from Texas said: When it comes to these big tech companies, we can try to find a thousand ways to regulate them, but maybe the best thing we can do is just let people get into court and have their day in court. Just let them get in there. Let them make their arguments. Don't try to figure out how to micromanage them. Just open up the courtroom doors, according to the usual rules.

Does my friend from Texas think, in the AI context, that that is any different? I mean, why would it be different there? Why wouldn't that same approach be effective here?

Mr. CRUZ. Well, listen. It is a good question. And it is true. I am quite open to using exposure to liability as a way to rein in the excesses of Big Tech. But I think we should do so in a focused and targeted way.

AI is an incredibly important area of innovation, and simply unleashing trial lawyers to sue the living daylights out of every technology company for AI, I don't think that is prudent policy.

We want America to lead in AI, and so I am much more of a believer of using the potential of liability in a focused, targeted way to stop the behavior that we think is so harmful, whether it is behavior that is harming our kids—and I am deeply, deeply concerned about the garbage that Big Tech directs at our children—or whether it is the censorship practices.

I support the approach, but, in my view, it needs to be more targeted and introduce the outcomes we want rather than simply harming American technology across the board.

That shouldn't be our objective. Our objective should be changing their behavior so that they are not engaging in conduct that is harmful to American consumers and to American children and parents.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. HAWLEY. Mr. President, I appreciate the conversation with my friend from Texas. We should do more of this. This is an enlightening conversation.

Let me just say a few remarks. I won't query him further, unless he would like to query me. We don't debate much anymore on this floor, and it is a shame, particularly since my friend from Texas is a great debater. But let me just a say few things in response.

Nobody has been more serious about taking on the big tech companies than Senator CRUZ, so I appreciate your leadership on this issue.

Here is what I would say: We shouldn't allow the big tech companies to be treated differently than any other company in any respect. I don't want to make them more liable than other American companies, but I also don't want to give them a sweetheart deal. They ought to be treated evenly, equally, like anybody else.

And I don't think that AI is a get-out-of-jail-free card any more than social media is. We have seen what they do with their subsidy from government when it comes to social media. My friend from Texas referenced it. They censor the living daylights out of anybody they don't like. We just had the landmark case out of my State, Missouri v. Biden, that found that these social media companies actively and willingly colluded with the Federal Government to censor everything from the Hunter Biden laptop story to parents who want to talk about school board meetings, to questions about COVID–19. Anything that this administration didn't like, they went to the social media companies, and they said: We want you to censor. And they did. They did.

Could any American go to court and say: Hold on. You are actually violating your terms of service, you know, the contract that we all have to sign, those little things you have to click when you create a social media account. There are actually terms in there. Could you go to court today when a social media company violates those terms by censoring your speech?

The answer is, no, you cannot. Why? Because this government protects them. This government gives them a deal no other company in America gets.

When Johnson & Johnson put asbestos in baby powder, Johnson & Johnson got the living daylights sued out of them—thank the Lord because, guess what. When they got sued, they quit putting asbestos in baby powder.

Can a parent who finds out a chatbot has recommended that their child commit suicide do anything about it in court? No.

Can a parent who finds out that an AI company has gone and scraped the images of their children off the web—which these companies do all the time—and use them to create images that are synthetic—meaning fake—can a parent do anything about it? No. Can they sue? No. Can they even be heard in court? No.

Why? Because this government gives those companies something it doesn't give anybody else: immunity that is worth billions of dollars a year. It is a Big Government, Big Tech cartel.

I would just say this: My friend talks about targeted reform. That is great. Let's start with the target of just treat these companies on an even playing field. Just allow parents to have a day in court to say something, to say this is wrong, to try their case.

They may win; they may not. They may win; they may not. But, at least, they could go to court. At least, they could have some standing. Where else in America but before a court of law does a normal working person have the same standing as a giant corporation getting billions of dollars in subsidies from the Federal Government? Where else?

Not in this body. I mean, in this body, the voices of the normal person, the working person, are completely drowned out on tech issues. Just go look at the expenditures for lobbying. I mean, unbelievable.

But in a court of law, you can stand on an equal playing field. You can make your case. Let's give parents the right to do that.

I hope—I hope—that AI will be a great benefit to this country. I hope it will. But I am not willing to take Big Tech's word for it. I am not willing to give them power and immunity nobody else gets. I am not willing to give them an immunity that we didn't give to any pharma company; that we haven't given to any other technology company; that we never gave to the developers of any technology in this country, until now.

Why should they be treated differently? The answer is, they shouldn't.

We can have a debate about other regulations and other methods and modes of approaching this problem, but I would just suggest to you that the simplest, easiest thing we can do, the most immediately sensible, the most downright common sense is to say no more special deals for Big Tech. Let's give parents the right to protect their kids. And let's make it clear that the biggest technology companies, with all of the inside access to the White House and this body and everywhere else, that they are not a government unto themselves; that they don't run this country.

The American people run this country, and they should have a right to defend themselves and their children.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. HEINRICH). The Senator from Texas.

JUSTICE AGAINST SPONSORS OF TERRORISM ACT

Mr. CORNYN. Mr. President, it is the 13th of December and, of course, with the holidays coming up, my thoughts today are with the families who will have an empty seat at their dinner table this year. The pain of losing a loved one never goes away. But for many families, the feelings of grief are only magnified by a lack of closure.

More than 22 years have passed since the attacks on September 11, and the families of victims of that terrorist act are still fighting for justice.

To support that fight, Senator SCHUMER—the majority leader—and I introduced the Justice Against Sponsors of Terrorism Act—otherwise known as JASTA—which became law in 2016. This made it possible for the people affected by 9/11 to bring a civil suit against foreign sponsors of terrorism. It didn't say who they were or make a judgment as to the outcome, but it made it possible for them to go to court and attempt to make their case.

Like any other victim of a horrific attack, the 9/11 families deserve justice; and that is exactly what JASTA has sought to provide.

Over the last several years, it has become clear that JASTA needs technical fixes, primarily because of the mixed interpretation about exactly what Congress intended. Some parties, including countries accused of financing and sponsoring terrorism, have exploited these perceived loopholes in the law and claimed total immunity from lawsuits. It is certainly not our intention.

This flies in the face of the text, the structure, and the intent of Congress. And we need to enact these technical fixes so this law can carry out its original promise, which is to provide victims with a path toward justice.

So earlier this year, I introduced legislation to make these important technical corrections. And I appreciate, in particular, Senator BLUMENTHAL—the Senator from Connecticut—Congressman VAN DREW, and Congressman NADLER in the House for working with us.

I am disappointed that the Senate has not yet taken up and passed JASTA, but I remain as committed as ever to continuing to support the 9/11 families and hold sponsors of international terrorism accountable.

This measure has strong bipartisan support. It passed twice. The original JASTA passed twice by unanimous vote in the Senate. We actually overrode a Presidential veto. But these additional technical fixes need to be done. And I will continue to fight to pass the bill when we return next month.

SENATE LEGISLATIVE AGENDA

Mr. President, on another matter, we all know from our school experience that students across America come home from school with a report card in hand to show their parents the grades they earned—whether it is math, science, English, or other subjects. Of course, report cards aren't the be-all and end-all, but they do provide parents with a good snapshot of how their children are doing and where they might be struggling.

Here in the Senate, we are nearly halfway through the 118th Congress. And this seems like a good opportunity for our majority party who are in charge of the agenda here to receive the same sort of evaluation. After all, their ability to run this Chamber impacts every State, city, and community across the country. And, unfortunately, they haven't earned high marks.

So here is the report card for the Democratic majority in 2023. Let's look at government funding first. Thanks to the chair and vice chair of the Senate Appropriations Committee, the Senate was on track to return to regular order this year.

It, actually, was really good work by Senator MURRAY and Senator COLLINS to get the Appropriations Committee back to work again. The committee actually passed all 12 appropriations bills before the Senate adjourned for the August recess, giving the majority leader plenty of time to move these bills across the Senate floor.

Despite that long runway, the majority leader didn't even attempt to put an appropriations bill on the Senate floor until mid-September, nearly 3 months after the first funding bill passed the committee.

Well, it is no surprise, given the late date that the majority leader finally sought to determine to act, that we didn't have enough time to complete the job. So at the end of the fiscal year, which is the end of September, we had to pass a short-term continuing resolution to fund the government until November. And then that November deadline came and went once again. And we had to kick the can down the road once more, to January 19.

So when the Senate returns in January, we will have to hit the ground running because we are up against not just one but two funding deadlines. One is January 19 and the other is February 2.

So we will see whether the majority leader allows the Senate to actually make some progress toward considering those appropriations bills before we run up against one or both of those deadlines.

Well, the next major piece of legislation we have is the National Defense Authorization Act—otherwise known around here as the NDAA—one of the most important bills that the Senate considers every year.

The NDAA should have been signed into law by the end of September, but the majority leader decided to delay it until now. We will finally complete that work either later today or tomorrow. The Senate will finally pass this bill—which should have been passed by the end of the fiscal year in September—this week, more than 2 months behind schedule.

Once again, the delay was completely avoidable. Our colleagues on the Senate Armed Services Committee, on a bipartisan basis, completed their work in June, and this legislation passed the full Senate in July. We had plenty of time to resolve the differences between the Senate and the House version; but, unfortunately, we squandered that time. So here we are.

The majority leader waited until November 16—nearly 4 months after the Senate bill passed—to begin the formal conference process. So there is just simply no reason why we have had these delays, especially when something as critical as national security is on the line.

But, unfortunately, that is only one of our priorities—national priorities—that has been neglected. The other has to do with the request made from our friends in Israel and our friends in Ukraine for additional assistance—a national security supplemental.

The President, in October, asked Congress to vote on this emergency supplemental. Well, we have been abundantly clear from the get-go that since the President included money for the border, that that was certainly germane to our consideration of this supplemental bill. We will not, though, merely fund the current open-border policies of the Biden administration, which has been an absolute disaster—millions of people coming across the border being released into the United States, drugs that took the lives of 108,000 Americans last year alone, and then, of course, the 300,000 unaccompanied children placed with sponsors in the United States that the administration has simply lost track of.

You may recall that the New York Times did an investigative piece which pointed out that in 85,000 cases, when a call was made to the sponsor 30 days after the child was placed with that sponsor, there was no answer. And the administration did not follow up at all. So they can't tell you whether they are going to school, whether they are getting the healthcare that they need, whether they are being trafficked for sex or forced into involuntary labor.

The New York Times did document that too many children are being put in dangerous jobs at an underage in violation of State and Federal law.

So my point is that when the President asks for border security money, talking about border security and how to fix the broken border is certainly relevant and germane to that topic, since the President initiated it in the first place.

So people wonder: Why is the money for Israel and Ukraine being held up? I think the majority leader actually said it was being held hostage, which is an unfortunate use of that term. But I point out that the House passed a $14.3 billion supplemental appropriations to benefit Israel on November 2. Again, here we are, 6 weeks later, and there has been no action on this bill that has already passed the House.

Now, I understand the majority leader may not like all of what is in that bill but certainly could put it on the floor and let the Senate work its will and pass that and send it to the President's desk. Certainly, that would be helpful to our allies in Israel.

So we know that the border crisis has become so severe that major American cities—like New York and Chicago—are now crying uncle because they have had to deal with a few thousand migrants who have, ultimately, ended up in their city.

And you have had people like Mayor Adams in New York say that these migrants were going to destroy New York City. Well, what about the 7 million migrants who have crossed the border in my State and in other border States who are now dispersed throughout the United States? This is also a blinking green light saying to anybody and everybody who has the money to pay the smugglers to bring them to the border: Keep coming.

Well, it is a disaster. And we are going to do everything in our power to address the broken border as part of the supplemental. Unfortunately, we will not be able to complete that work before the end of this month because, No. 1, the majority leader decided to wait until the holidays to put it on the floor in the first place.

And then there is the Federal Aviation Administration Reauthorization, which was set to expire again at the end of September, last September. Over the last few years, travelers have dealt with widespread flight cancelations, paralyzing staffing shortages and rising prices. They have also witnessed—we have witnessed—some jarring safety issues, including near collisions on airport runways, including cities like the one I live in, in Austin, TX.

The Senate passed a short-term extension that provides for 3 more

months to advance a longer-term reauthorization that addresses these and other issues. But, unfortunately, that work hasn't been done either, which has earned another incomplete.

So the Senate is expected to pass another short-term extension this week so the Agency can keep up and running through at least March 8.

Now, that is another item which we should have finished this year which we did not finish, and so it has been kicked over into next year.

We have also failed to complete the work on the farm bill, which affects agriculture and food programs throughout the country. This legislation is critical to America's food supply as well as to the hard-working men and women who grow and produce it.

The previous farm bill expired on September 30. Does that sound familiar? Well, it is a familiar theme where the majority fails to tee up these issues until the deadline, and then we can't get it done, and another extension has to be passed. Now we know that the farm bill has been extended for a year because the Senate Agriculture Committee has been unable—and the majority—to get that bill on the floor.

Finally, we have a law that most people have not heard of until recently, perhaps—section 702 of the Foreign Intelligence Surveillance Act. The Presiding Officer, of course, is very familiar with this. The intelligence community calls this the crown jewels of American intelligence gathering because it is absolutely vital to our national security. It allows the intelligence community to obtain information with which to combat everything from terrorism to cyber attacks and to prevent our adversaries from developing weapons of mass destruction.

This authorization for this critical national security tool is set to expire at the end of this month, and our Nation's most senior intelligence officials have been pleading with Congress for months to take action. They have issued warnings in the starkest possible language about the consequences of failing to reauthorize section 702.

Unfortunately, ultimately, the House was forced to kick the can down the road once again because we simply have not done our work on time. So that is what is in the NDAA, the National Defense Authorization Act. It includes a temporary extension of section 702 until April 19, adding to the growing list of tasks we should have done this year which we will have to do next year.

As we know, legislating only gets harder as the election approaches, and the 2024 election is less than 11 months away—hardly a conducive environment to getting this work done and certainly not any easier than it would have been to do it on time.

So we have a lot of work to do when we return in January. We have two government funding deadlines—January 19 and February 2. The FAA will need to be reauthorized or extended by March 8. Section 702 of the Foreign Intelligence Surveillance Act will need to be reauthorized or extended by April 19.

The first 4 months of next year will be spent working through the backlog of items that should have been completed this year. Given this lackluster performance, this is one report card that our Democratic colleagues should be embarrassed to take home to their constituents.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

GUN VIOLENCE

Mr. MENENDEZ. Mr. President, 11 years ago tomorrow, our Nation and the Newtown, CT, community experienced one of the deadliest school shootings in American history. Horror ripped through our hearts as we heard the news.

Twenty first grade students and six teachers and staff members gunned down in cold blood inside of Sandy Hook Elementary School. Twenty first graders who right now should be high school seniors, relishing special moments and milestones with their friends. They should be finishing their college applications, taking their driver's tests, and getting measured for their caps and gowns. Their families should be watching them flourish as they become young adults embarking on all the world has to offer. Instead, their lives cruelly cut short, and their family members will never be whole again. Adults who tried desperately to protect their students, albeit in vain, from the Goliath force of an AR–15 style gun.

Eleven years ago, we grieved with the families, we cried, and we prayed. Eleven years ago, we said never, never again would we let this happen. Instead, it has happened again and again, over and over—Parkland, Santa Fe, Michigan State, UNLV, Uvalde.

The scenes from Robb Elementary School, where 19 students, mostly third and fourth graders, and their two beloved teachers were gunned down with an assault weapon last year, could not have been more reminiscent of Sandy Hook. The innocent lives wiped out in a spree of mindless violence. All of this happening again, right before our very eyes, 10 years—10 years—after Sandy Hook.

This weekend in my home State, we just commemorated the fourth anniversary of an anti-Semitic shooting in Jersey City, where two hateful gunmen took the life of a Jersey City detective before they rampaged through the Jersey City Kosher Supermarket, taking three more innocent lives. Among the five weapons the shooters were armed with was an AR–15-style assault weapon.

According to the Washington Post's database, 2023 has seen more mass shootings—39—than any year since 2006 when they first began tracking shootings with 4 or more deaths. Monterey, CA. Nashville, TN. El Paso, TX. Lewiston, ME. We are the only civilized Nation on Earth where innocent human beings are routinely murdered in mass shootings. Is this what it really means to be an American? It cannot be.

I met last week with members of the Newtown Action Alliance—survivors of gun violence who shared their heartbreaking stories of grief and trauma. Their message was simple: When will enough be enough?

Eleven years since Sandy Hook and yet barely any progress has been made. Even Ethan's Law, a commonsense bill which I cosponsored and which simply requires safe and reasonable and responsible gun storage, is opposed by most congressional Republicans. This should be a no-brainer.

Tiffany Starr, a gun violence survivor and proud New Jerseyan, told me about how her father was killed in 1994 when her sister's abusive ex-boyfriend shot his way into their home looking for her. Their father pushed her sister out of the way and was shot himself, giving his wife and daughters just enough time to run and hide in the neighbor's house. She is now older than her father ever got the chance to be.

Jackie Haggerty shared how she survived the Sandy Hook Elementary School shooting when she was only 7 years old. Now 18, she continues to bravely share her story and advocate for gun safety legislation. She broke down in tears during our meeting, describing the sheer horror and trauma of seeing her friends' and teachers' destroyed bodies in the hallways of Sandy Hook. She told me how all she wants for Christmas is to know that she won't get shot. Let me repeat that. A young woman in America is praying that she won't get shot, which is what she hopes for Christmas.

Only in America do we live like this. Do we let families and whole communities drown in the grief of mass shootings for the benefit of the gun lobby and the gun industry? Only in America are guns the No. 1 killer of young people. Only in America do we pray, grieve, and move on until the next Uvalde or the next Lewiston.

Guns—especially assault weapons equipped with high-capacity magazines—do not belong in our communities. High-capacity magazines, from my view, are about high-capacity killing, not about hunting. They do not belong in our supermarkets and movie theaters, our houses of worship, our restaurants, or our bowling alleys. They don't belong on our streets. These are weapons of war meant for high-capacity killing. And those who seek to kill Americans with such weapons do not have any greater rights to bear arms than our Nation's children and community have a right to live.

Just last week, Majority Leader SCHUMER came to the floor with the hope of reintroducing the assault weapons ban. He was swiftly blocked by Republicans. Senator MURPHY followed by asking for a unanimous consent vote for universal background checks, which also met Republican resistance.

While I am proud to have supported the Bipartisan Safer Communities Act, which became law last year and which contained important gun safety measures, we must do more. That was simply the first step in the right direction. There are more measures we can and must enact.

I believe we have to reinstate the assault weapons ban, and we must establish universal background checks for the sale of all firearms.

A poll by FOX News conducted in April of this year found that a majority of all American voters—61 percent—support an assault weapons ban. That includes Republican voters. If there is 61 percent support among Americans for an assault weapons ban, there should be 60 votes for it here in the Senate.

A June 2022 Gallup poll also found that an overwhelming 92 percent of Americans favor requiring background checks for all firearm sales. With that level of near-unanimous support, background checks for all firearm sales should be able to pass out of this Chamber by unanimous consent.

Did the assault weapons ban have a positive impact when it existed? Well, a 2018 study by NYU Langone medical faculty showed that during the 10 years that the assault weapons ban was in place, mass shooting-related deaths were 70 percent less likely to occur. That is countless lives saved, countless funerals avoided, and countless families spared from bottomless grief.

I want to be clear. We have solutions supported by the majority of Americans to end the epidemic of gun violence in our country. We just need our Republican colleagues to join the rest of us. We need Republicans to take their NRA blindfolds off and open their eyes to the realities we all face together.

After the horrific mass shootings in Lewiston, ME, Congressman JARED GOLDEN reversed his position and now supports an assault weapons ban. I am glad he has seen the light, but it should not take the death of 18 people and a community terrorized for this type of awakening.

Every single Member of Congress should join Congressman GOLDEN, put politics aside, and put the American people first. We owe it to those no longer with us. We owe it to Jackie Haggerty and the Sandy Hook students and teachers and all gun victim survivors. We owe it to every child and parent in America so that when we say ''never again,'' we actually mean it.

I will end with this, which is a few questions for my Republican colleagues. As we head home for the holidays, what will you say to all the families facing an empty seat at their dinner table or one less stocking on the mantel? How can you claim to be the pro-life party, the party of public safety, when you put the interests of the gun lobby before the lives and security of your constituents? How can we possibly claim the mantle of the greatest country in the world if we as elected officials simply stand by and let mass killings take place day after day after day on our watch?

My hope is that you will think about each and every one of these victims and their families, that you will come back with renewed purpose and commitment to our most basic mission, which is protecting the innocent lives of our constituents, our neighbors, our loved ones.

Let's build upon the Bipartisan Safer Communities Act, fully implement universal background checks, and pass a national assault weapons ban. I appreciate that the Presiding Officer has legislation, with others, to think about how we manufacture these in a way that would create less loss of life. It is an innovative idea, and it is one of many that should be pursued. It would be the greatest gift we could deliver to the American people.

During a season of thoughts and prayers, what the American people need—what they demand—is concrete action. Whether or not we will act will define Congress and, I think, indeed American democracy itself for decades to come.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

INFLATION

Mr. RICKETTS. Mr. President, I have been hearing from a lot of families back home who are frustrated with the economy.

The numbers say it all. Americans are paying the price for failed Bidenomics. Since Joe Biden became President, prices have increased by 17.38 percent. Necessities continue to cost hard-working American families hundreds of extra dollars every month. Gasoline is up 42.18 percent. Groceries are up 20.28 percent. Energy prices are up nearly 35 percent. Electricity is up 23.5 percent. Rent is up 18.5 percent.

A CBS News poll recently showed that 76 percent of Americans say their income is not keeping up with Joe Biden's inflation, 92 percent of adults have felt the need to reduce their spending, and 76 percent plan to cut back on nonessential items.

Another report stated that the average American family is spending $11,400 more each year to pay for the same standard of living they had when Joe Biden took office. That is several months of pay for an everyday household.

As anyone with a basic understanding of economics knows, they will tell you that people on low and fixed incomes are the ones that are going to be the hardest hit. This inflation is a tax on every American's standard of living.

President Biden said that ''Bidenomics is just another way [to say] 'the American Dream,''' and yet the numbers show the American Dream is now more out of reach than at any time in recent history. Maybe that is why President Biden has stopped saying ''Bidenomics.''

Before Biden, the average monthly payment for a new home was $1,787. Today, that number is almost double, $3,322. That makes a new home unaffordable for many Americans.

This inflation is caused by President Biden's failed policies and reckless spending. Americans are forced to pay more now because of inflation and pay more later to address the rising cost of our national debt.

President Biden has adopted the term ''Bidenomics'' as a way to make Americans believe that they are better off. Well, it didn't work.

He has falsely claimed to have cut the national debt by $1.7 trillion when, in fact, the debt has increased by $6 trillion. He has falsely claimed that prices went down for holiday meals when, in fact, every single item that he mentioned has increased since he took office.

Once again, the numbers say it all.

An astounding 76 percent of Americans believe the country is headed in the wrong direction. The President's war on domestic energy production has caused the price of energy to skyrocket. A wave of burdensome regulations has cost Americans thousands of dollars per household and limited their freedom. An avalanche of green energy spending has added trillions of dollars to the debt without building a single EV charger.

While Americans have tightened their belts in response to rising costs, our Federal Government has done the opposite. Federal spending is up 40 percent in the last 4 years.

The result of these failed policies? The national debt is approaching $34 trillion. That comes out to about $257,000 per American household. That is like having a second mortgage on a house for Nebraska families.

And that CBS News poll I talked about earlier also showed that 62 percent of Americans rate the condition of the U.S. economy as bad, with inflation being the most important reason for the problems facing our country.

And what do Americans rate as the No. 1 reason for this inflation? Joe Biden's big government spending, with 56 percent of Americans saying so.

Our constituents deserve better than to have their pocketbooks pummeled by Joe Biden's failed policies. Americans know that bringing the costs of living down and getting our country back on track means that Washington must reverse course. We need to reject the bloated omnibus bills and spend less, plain and simple. We need to stop the political regulations and tax increases that are stifling innovation and growth in our country. We need to unleash American energy production and lower energy prices. And we need to secure the border.

In the coming weeks, this body will have the opportunity to do all of these things. I stand here ready to work with anyone to get these important priorities accomplished for the people of Nebraska. I will work every day, all day,

to get it done, and I urge my colleagues to do the same.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Mr. President, first, I want to congratulate my friend and colleague from Nebraska for his excellent remarks because I am seeing the same thing in Wyoming that he is seeing in Nebraska.

He is a former Governor of that State. He knows the people of the State. He goes home and visits with his constituents, his friends, his family, and they know the impact of Bidenomics and the expenses it has had on their lives and how much more money people are having to spend as a result of the really irresponsible actions of the Democrats and this administration.

I hear about it every weekend. When I was at a grocery store, a lady, last week, had a little plastic bag, and she said: This shouldn't cost $100 for this bag of groceries. And she is right.

BORDER SECURITY

Mr. President, the other thing that I hear about at the grocery store, in addition to the issues that the Senator from Nebraska was talking about, is the issue of the border, and I come today to the floor to talk about America's broken southern border—what we need to do about it, what the concerns are, what I hear about every weekend—because every time Americans turn on their TV, they see it. They see what is happening at the southern border—the flood, the waves of individuals coming across the border, not being stopped, not being checked, and then moved into the neighborhoods across America.

Well, last week, Senator SCHUMER put a national security bill on the floor. The problem is it lacked serious border security policy changes, things that we need in this Nation. Republicans voted against it because we know national security starts with border security. We are going to stand firm until serious changes are made.

Since last week, the scope, the scale, the seriousness of the Biden border crisis has accelerated. One week ago, an all-time record high of over 12,000 illegal immigrants crossed the southern border. To put that number into perspective, President Obama's Homeland Security Secretary, Jeh Johnson, said this in the past. He said a thousand encounters a day—a thousand encounters a day—would overwhelm the system. Well, it was 12,000 each day last week—some days 10,000, some days 11, some days 12—record numbers each and every day, 10 times the number that President Obama's Secretary of Homeland Security said would overwhelm the system, day after day after day.

So let's be clear about what is happening with Joe Biden and the White House and Democrats in the majority in the U.S. Senate. Well, the Democrats and Joe Biden have gambled with American's safety and security. The border—the southern border—is now a hotspot for terrorism and trafficking like we have never seen before in this country.

This body heard last week from the Director of the Federal Bureau of Investigation, Christopher Wray. He testified in front of the Judiciary Committee. Director Wray said this: ''Post October 7, you've seen a veritable rogues gallery''—rogues gallery—''of terrorist organizations calling for attacks against us''—the United States.

The head of the FBI, the Federal Bureau of Investigations, said: ''I see blinking lights everywhere.''

Everywhere he is looking, he is seeing the threat. Are any of the Democrats in the Senate listening to him? Is there any concern from the Senators on the Judiciary Committee?

Well, Director Wray isn't the only person to warn us that the threat of terrorism aimed against Americans is increasing. The Homeland Security Secretary for President Obama mentioned it in the past, and, now, Homeland Security Secretary Mayorkas—the current one for President Biden—said: We are definitely in a heightened threat environment.

I agree with him.

President Biden would have us believe that the border, as he said, is ''safe [and] orderly and humane.'' I don't think he has been there in a long time to actually see what is going on, because that is not what I witnessed just a few weeks ago when I went down there with a group of Senators.

So what is the reality? Well, the reality is President Biden has created the deadliest, most dangerous, and most disastrous border crisis in our Nation's history. Democrats' definition of border security is very different from what I am hearing about at the grocery store in Wyoming, because the Democrats' definition of border security is to just make it easier for illegal entry into the country: Wave them all through. Come on in. Everything is fine.

Well, it is not. Illegal immigrants ought to be turned away. Democrats are waving them through in record numbers.

So why is this happening? Well, it is happening because the Biden administration is manipulating the law of the land. The administration is hiding behind such terms as ''asylum'' and ''parole,'' and they are using that to quickly process and move inland migrants from all around the world by the thousands.

The night I was at the border, I was with late-night midnight patrol. People from all around the world were coming in—three from Moldova. They had to go through lots of different countries before they got to come up through Central America. And, oh, by the way, they paid those cartels dearly—the criminal element trafficking humans to be deposited then at our border's edge.

Our laws are no longer used to determine who gets in and who stays. The illegal immigrants make that decision, and that is wrong. Simply, if they show up at the border, Joe Biden waves them all through. That is the policy of the Democrats in this body. They utter a few magic words and are released into the country.

Under President Obama—under President Obama—about 21,000 people a year requested asylum. They are fearing for their lives. They are feeling concerned. They are fearing what happens in their home country—21,000 in a year under President Obama.

So what has happened with Joe Biden now? The Border Patrol agents say that the number that was a full year from President Obama happens every 2 days, with Joe Biden and the Democrats from this body looking the other way: Things are fine; things are secure. Two days equal a full year from the Obama administration.

It is absolutely preposterous to argue that all of those people qualify for asylum. We know they don't. We know it. The American people know it. The President ought to know it. The Members of this body ought to know it.

Ten thousand illegal immigrants, day after day, will quickly add to over 10 million illegal immigrants into this country during 4 years of the Biden administration. President Biden is allowing it to happen, and Democrats in this body are encouraging him all the way. This administration has turned what was known to be a notice to appear into a license for illegal immigrants to disappear into the homeland.

Well, the payment for Biden's breakdown of law and order is now coming due. The blinking lights, as the head of the FBI said, are everywhere. If the Senate finally acted to secure the border, this Nation would be safer, and people would rest assured in my home State of Wyoming and, certainly, in big cities like New York and Chicago, where the mayor of New York said the illegal immigrants are overwhelming the system, destroying the city.

It is indisputable. So where can the Senate start? Here is an idea: Let's fix our broken parole and asylum system. Republicans want border enforcement, border security, real policy changes to keep our community safe.

The American people don't have that today. So it is no surprise that they are angry and they are afraid. This needs to change. Real border security is a top national security need. Republicans don't need another recordbreaking day to understand that this crisis requires swift, serious, and substantive action.

Republicans have solutions—solutions to make our communities and our country safer. The President and the Democrats in this body need to include these measures in any national security bill. Otherwise, there will not be a national security bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

ISRAEL

Mr. BUDD. Mr. President, as we enter the holidays this year and experience

the typical sights and sounds of the season—perhaps, it is the annual trip to buy a Christmas tree, perhaps in western North Carolina, if you are from the region. For some, it is the solemn lighting of each candle on the menorah. Often, it is the joyous family gathering, the giving of gifts, and the making of life-long memories.

But for the 130 hostages still being held by terrorists in Gaza, the holiday season is one of pain and isolation. For their families, this holiday season is filled with pain and uncertainty.

This week, I met again with both some of the families of recently released hostages and the families of those who are still being held. Their heartache is something that no person should ever have to face. The heartache is something that no person should ever have to face. When you compare the joy of the holidays with the pain of this situation, you can't help but feel an overwhelming sense of both anger and sadness, but also a sense of resolve.

What if they were my loved ones? What if they were yours?

Each and every one of these families deserves for their loved ones to be released immediately and unconditionally. Rest assured, all levels of the U.S. Government are working with our allies and partners to get these hostages home and to get them home safely.

But until that happens, there is still something that all of us can do. And you don't have to be an elected official to send prayers of comfort to these families. You don't have to be here on the Senate floor to speak out on their behalf and to call for their release. And you don't have to be politically active to commit yourself to not forget these men and women, especially during this season.

Deuteronomy 31:6 tells us: Be strong and courageous; do not be afraid or terrified because of them, for the Lord your God goes with you, and He will never leave you or forsake you.

Mr. President, I want every one of these family members to know that our country is behind them and that we support them and that we are praying for them.

I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

BORDER SECURITY

Mrs. HYDE-SMITH. Mr. President, I rise today to once again call attention to the crisis at our southern border—the very crisis the Biden administration refuses to acknowledge and in not doing so, fails the American people.

It is a simple fact: There is no national security without border security; and everyone knows our border is anything but secure. We have the numbers to back it up.

For starters, more than 8.2 million illegal immigrants have crossed the border since Biden took office. To kick off fiscal year 2024, there were over 240,000 illegal immigrant encounters in October, the highest monthly total ever recorded. This comes after a record-setting fiscal year 2023, which saw more than 2.4 million encounters. Of the 2.4 million, at least 169 individuals are on the Terror Watchlist. But what is really frightening is that these numbers only reflect the known encounters and doesn't even include all of those who evaded law enforcement—the ''got-aways.'' Border officials estimate that there were 1.7 million ''got-aways,'' any number of which could be on the Terror Watchlist living in our country with who knows what intentions.

Even with all of this information available, the administration continues to break all the wrong records. In the last several weeks, daily records have been smashed time and again with known daily encounters ranging from 10,000 to 12,000. For context, President Obama's DHS Secretary said that 1,000 a day ''overwhelms the system.''

We have heard from officials such as FBI Director Wray expressing his concern regarding the ability of terrorist organizations to exploit any port of entry, including our southwestern border. Warnings such as these should not be ignored, and yet it appears this administration will continue to do exactly that.

But encounters are only part of the ongoing crisis. In October, over 1,300 pounds of fentanyl and over 9,500 pounds of meth were seized—and that is only what was seized. Estimates show that this is only 5 to 10 percent of the illicit drugs coming across the border. These drugs continue to run rampant in our communities at a devastating cost, including in my rural State of Mississippi.

The CDC says overdose deaths are up from last year, meaning more and more families and communities are being broken apart by the circulation of dangerous drug smugglers across the border. And even worse than the drugs being smuggled across the border are the humans the cartels are smuggling.

I have spoken before about my trip to the border—the one earlier this year—and the horrific stories of girls, 12- to 16-years old, being smuggled against their will, has stayed with me. The human trafficking industry has grown in the last several years to a $13 billion industry. And this will only continue to grow if the border continues to be an access point for traffickers.

I do not blame the brave men and women working to do their best to help patrol the border. I blame solely—all of this—on the Biden administration and Democrats for their unwillingness to work in a serious manner to help secure the border and keep criminals and drugs out of our communities. Border Patrol agents are not given the resources they need to stop the never-ending onslaught of migrants, drugs, and traffickers. Even the border security's provision in the President's emergency supplemental request amount is just more money to process illegal immigrants with no real policy or enforcement reforms.

I am hearing from law enforcement back home in Mississippi and how the crisis is affecting my State. As many have said, today, every State is a border State because of this crisis.

On January 18, 2023, a Mississippi Highway Patrol trooper made a routine traffic stop. In the vehicle was an illegal immigrant driving without a license and an additional three illegal adult males and one 7-year-old migrant child. After Homeland Security Investigations was contacted, the driver attempted to flee on foot and was captured. The HSI determined the child was not related to anyone in the vehicle. Charges are pending on the driver and HSI is attempting to identify the child and reunite him with family.

In another incident on October 9, 2023, a Mississippi Highway Patrol trooper identified another illegal immigrant driving on I–10 in Jackson County with no ID. A passenger, also an illegal immigrant, revealed that they were on their way to Houston, TX, to pick up another man, a woman, and three or four children. After a legal search of the vehicle, items consistent with human trafficking were discovered. A Border Patrol agent was notified, and, turns out, the driver was a repeat offender, illegally reentering the United States after deportation.

If I am hearing from law enforcement in my State, I know that my colleagues are too.

I applaud the efforts of the Mississippi Highway Patrol and the U.S. Border Patrol for taking action, but the fact remains that if the resources were already at the border, this would have never happened.

Senate Republicans have shown Americans time and time again that we are ready to take steps to stop the growing threat at the southern border. Unfortunately, our Democratic colleagues will not take action with us, appearing afraid to anger their radical base.

Giving our Border Patrol agents the means to do their job is not radical. Fortifying our border by ending catch-and-release, closing asylum loopholes, finishing the wall, and supporting law enforcement officers is key to our national security. And we owe our citizens no less.

I, along with my Republican colleagues, will continue to work toward solutions; and I invite Senate Democrats and the administration to join us so we can finally secure our borders and keep the American people safe and alleviate the Biden-caused humanitarian crisis at the border.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

STUDENT LOAN DEBT

Mr. GRASSLEY. Mr. President, in its relentless pursuit of canceling student debt, the Department of Education seems to have forgotten that Congress gave it a job to do.

Last year, the Department announced its unconstitutional efforts to spend hundreds of billions of taxpayers' dollars, contrary to law. Of course, you

remember that was the forgiving of student loans.

Even after this attempt was declared unconstitutional by the Supreme Court, endless efforts of debt cancellation seem to have taken precedent over the duty Congress is giving the Department.

For example, after being on pause for 3 years, student loan payments finally started back up here in October of this year.

Servicers, students, and Members of Congress pressed for answers about how and when this process would work. But instead of a plan, the return to repayment has been utter chaos. Iowans, and even some Members of my staff who have student loans, have waited for weeks to get answers to very basic questions about their loans.

Due to sloppy recordkeeping, the Department has failed its audit for the second straight year in a row. In its hurry to cancel debt, the administration can't even provide auditors enough information to do their jobs.

It isn't just previous students who are being left in limbo. There is another issue that is hard to get information on.

So we have current and incoming college students who still can't fill out the application form that goes by the acronym FAFSA. That stands for ''free application for student aid.'' In a normal year, students would fill it out in October and know early in the process whether they had qualified for Pell grants or other forms of student aid, but this year, students still don't have the information they need to start choosing the best school for them. I have long said that students don't have enough transparent information when applying to college. The shortened timeline this year makes it even harder.

To address the problem that I just mentioned, I recently sent a letter, with Senator KAINE of Virginia and other colleagues, pressing the Department of Education to give students the information they need. That includes making sure that farm families aren't forced to sell their farms in order to send their kids to college. It helps no one to lump small family farms in with the largest mega farms—as if a farm family who is barely getting by is somehow considered to be rich—and have their kids not qualify for student loans. The bipartisan effort by Senator KAINE and me pushes the Department to recognize that distinction and ensure that farm kids have the information they need to properly fill out the proper forms to see if they qualify for student loans.

All students deserve to have the information they need and to get that information ahead of time. Students, families, and borrowers shouldn't have their timelines delayed by changing political whims.

Congress certainly did not pass a law telling the Department to cancel hundreds of billions in student debt, but Congress did give the Department a mandate to properly oversee student loan repayments, the implementation of the FAFSA, and to keep its finances in order. Before trying to unconstitutionally create enormous new cancelation programs, I suggest and encourage the Department of Education to do the job it has actually been given by the Congress to do.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

WOMEN'S HEALTH PROTECTION ACT

Ms. ROSEN. Madam President, since the Supreme Court overturned Roe v. Wade, which protected a woman's right to make decisions over her own body, we have heard countless, heart-wrenching stories coming out of anti-choice States. We have heard about the 10-year-old girl from Ohio who was raped and had to travel to Indiana to receive an abortion. We have heard about the case of a 13-year-old girl from Mississippi who was also raped, but because of her State's strict abortion ban, she had to give birth before even starting the seventh grade. Now we have learned of yet another instance where anti-choice politicians have decided that they know better than a woman and her doctors.

Kate Cox—well, she is a working mom from Texas. She and her husband are the young parents of two beautiful kids, ages 1 and 3. They love their children, and they have always wanted a large family. They have always wanted that. That is why they were overjoyed when they learned that Kate was pregnant with her third child. But sadly, tragically, during her pregnancy, the doctors told Kate that the baby girl she was carrying—that baby—had a fatal condition, which meant she would not survive. This was heartbreaking for Kate, for her husband, for her family, but for Kate, as a woman, this was heartbreaking.

What should have been a moment of privacy for Kate and her family has turned into a public tragedy. Because of Texas's restrictive abortion ban, she was barred—barred—from terminating her nonviable pregnancy even though doctors said that continuing it would put her life in danger and—and—risk her ability to have future children, that large family she and her husband always dreamed of. Instead, Kate was forced to go to court to fight for her own medical procedure—the procedure she needs to save her own life. Right before the Texas Supreme Court ruled against her, Kate Cox—well, she was forced to leave her home State of Texas in order to get the lifesaving care she needs.

For the first time in 50 years, anti-choice judges have ruled as to whether or not a woman can have an abortion. Can this really be happening—judges, a panel of judges, deciding your healthcare?

What makes this all the more heartbreaking is that when Roe v. Wade was overturned, we all knew—we knew—cases like this would happen. Now this is the terrifying reality women face in a post-Roe world, where lawyers and judges make the healthcare decisions, not your doctors or your healthcare providers, and it has been made possible by decades of anti-choice extremists who have fought to put politicians—politicians—between women and their private medical conditions.

The abortion bans passed by anti-choice States are not only cruel but also dangerous and life-threatening to women like Kate—women who are already living through the worst nightmare of being told their babies have no chance to live, and then—then—they are prevented from getting the lifesaving care they need by a legal system. Instead of being able to listen to their doctors to save their lives, the legal system is in charge of their healthcare.

It is not just in Texas, and it is not just at the State level. Last year, Senate Republicans introduced legislation in this very Chamber to enact a nationwide abortion ban, a national abortion ban—one that would strip all women in every State, including our State of Nevada, Madam President, of their fundamental right to control their own bodies.

A nationwide abortion ban would be devastating on a whole new level. It would mean more stories like Kate's, except this time—this time—there would be nowhere for a woman to go to get the lifesaving care she needs. Let's be clear. If this happens, women will die. Their children, if they have other children, would be left without a mother.

This is exactly what anti-choice extremists want. Their latest attempt is to ban the abortion pill that women have been using safely for decades. Just today, the Supreme Court has agreed to hear that case.

This is why we can't give up. We can't give up. We must continue to fight on to protect a woman's right to choose, to make the decisions that are right for her and her family in the privacy of her doctor's office.

As long as I am here, I will oppose any efforts to enact a nationwide abortion ban—a ban that would punish women for making their own healthcare decisions.

We must do more to protect women living in anti-choice States—women like Kate and the young girls from Mississippi and Ohio and States all across this country. That is why I helped introduce legislation that protects women from prosecution by anti-choice States for crossing State lines to receive the reproductive care they need.

We have to protect women from prosecution for getting the lifesaving care they need.

This is why passing the Women's Health Protection Act and protecting reproductive freedoms under Federal law is critical. If we fail to act, women will continue to suffer, and women will die.

We will not—we cannot—we cannot back away from the fight to protect women's reproductive freedom. I will always stand with women, and I will always stand with our right to choose.

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

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

MILITARY PROMOTIONS

Mr. CARPER. Madam President, as some of our colleagues know, I am a retired Navy captain and the last Vietnam veteran serving in the U.S. Senate. Today, I want to take a couple of minutes, if I could, to share what military service has meant to my family and to me and to discuss one of the critical lessons that we should have learned with the failure to welcome home many of my generation from our service while in the Vietnam war.

I come from a family who for several generations—for several generations—has sacrificed for our country and has been privileged to serve our country. My dad and Uncle Jim were chief petty officers in the Navy in World War II. My dad went on to serve a bit in Southeast Asia during the Vietnam war. My Uncle Ed was a marine who served in combat, heavy combat, in Korea. My Uncle Bob was killed in a kamikaze attack on his aircraft carrier in the Pacific at the age of 19. His body was never recovered. My grandmother was a Gold Star mother. In my family, we bleed Navy blue.

My father's generation returned home to a hero's welcome at the end of World War II, but that was not the case for those of us who returned home from the Vietnam war many years later. With little fanfare, no welcome-home ceremonies, no parades, we returned to our hometowns to begin our lives anew, and we did, in some cases, with extraordinarily good fortune, and I am one of those.

In the years since then, I have witnessed a growing willingness from people across our country to atone for the kind of welcome home my generation received and to make clear that our service is now appreciated—fully appreciated. It is a wonderful feeling.

But for a good part of this year, we have once again failed to treat hundreds of our best and brightest military leaders with the respect and gratitude they deserve and have earned by their service.

The situation manufactured by our colleague from Alabama to block the promotions of hundreds of well-deserving military officers is unprecedented, it is unwarranted, and I believe it is shameful.

For nearly a year, he has jeopardized our national security and thrust the lives of some 450 military servicemembers and their families—put their lives in limbo. These families have been stuck both physically and professionally. They have been unable to move to new assignments at home and abroad, where they will assume their new responsibilities. Military spouses have been unable to find new jobs, and their children have been unable to continue their education in new schools.

While I was relieved that the majority of these remarkable men and women were finally able to accept their promotions recently, there are still 11 four-star officers and their families who are suffering because of the actions of one of our colleagues.

By using the lives of our military servicemembers and their families as a bargaining chip, we are failing to learn from history and once again disrespecting the sacrifices they have made for our Nation.

What kind of message does this send to our veterans across this country, to our men and women in all service branches who have served in some cases for decades? It is unacceptable. What kind of message does this send to countries around the world about how we treat those defending democracy every single day?

Moreover, the actions of our colleagues may deter potential recruits from joining the ranks of our military during a time when we are working especially hard to recruit and retain talented servicemembers.

As we go into the holiday season, every military family—every military family—deserves peace of mind. Yet, today, there are still 11 extremely deserving and well-qualified officers whose families continue to face uncertainty. I will repeat: It is unacceptable, it is unwarranted, it is shameful, and it must end.

Today, I urge our colleague from Alabama to think again about what is really at stake. Strong leadership is vital to our national security, and we cannot undercut senior leaders of our Armed Forces without jeopardizing our democracy.

To our colleague from Alabama, let me just say this: Please, please lift your hold. Let's learn from mistakes of our past. Give these 11 officers and their families the respect they also deserve, along with a truly happy holiday and a promising new year.

With that, I yield the floor.

I note that we have been joined by my friend and colleague from Iowa, Senator GRASSLEY.

The PRESIDING OFFICER. The Senator from Iowa.

SECURING THE U.S. ORGAN PROCUREMENT AND TRANSPLANTATION NETWORK ACT

Mr. GRASSLEY. Madam President, the organ transplant business and network governance has been in shambles for decades, and people have needlessly died because of it, and we have passed very good legislation unanimously to correct it.

So I come to the Senate floor because I have very serious concerns about the Biden administration's implementation of H.R. 2544. That legislation goes by the title of Securing the U.S. Organ Procurement and Transplantation Network Act. I am joined by a colleague who has worked really hard on this issue, Senator MORAN of Kansas, who will also give his views on this issue. He worked with me and championed this very important issue.

On September 22 of this year, this legislation, H.R. 2544, was signed into law by this President. In less than 3 months, the Health Resources and Services Administration of the Department of Health and Human Services is already ignoring congressional intent while asking Congress—can you believe it—for money to implement the law, and it is presumably to implement the law contrary to what the legislation requires.

Now, I am proud to have been a cosponsor of this very important bipartisan piece of legislation. We fought alongside patient organizations that knew this whole setup, for decades, was not working the way it should. We did this with the hope and expectation that we would have real competition to manage our organ donation system.

Congress unanimously passed the bill, as I said before, and we were able to do it despite attempts by a lot of people within the 40-year-old organization that runs this program that tried to kill it with what we call around here poison-pill amendments. And that point is very important because we didn't adopt any of those amendments. Yet we see some of those amendments' approaches being now promoted by this administration in the implementation of this bill.

These potential poison-pill amendments would have prevented competition in our organ donation system, and we felt that competition was what we needed, instead of the monopolistic approaches that had existed for decades. And you can imagine these amendments were pushed—yes—by the same nonprofit monopolies that have called the shots in our Nation's failed organ donation system for the last 40 years.

So here is where we are within just 3 short months after the passing of what we thought was real reform. Now, the Health Resources and Services Administration of HHS, led by Administrator Carole Johnson, has attempted to restrict competition right out of the gate by inserting, via contracting process, the very poison pills that Congress kept out of the law. For example, that Agency announced plans to install the existing United Network for Organ Sharing board—the one that has been running the show—as the new, so-called independent board.

Regarding limiting competition for the board contract, Agency officials

told my staff and staff from other congressional offices: the Agency can place restrictions on any contracts, including the IT contract.

Again, the purpose of this legislation was to create competition, not stifle it with government restrictions and sweetheart deals. My bipartisan oversight over the years has shown that the United Network for Organ Sharing IT system is failing at every level. I have heard from patient groups and leaders with these very same concerns.

These patient advocacy organizations are rightfully concerned that HHS, today, is caving to bad actors who have been running our Nation's organ donation system since 1986. The president of the Global Liver Institute wrote: I never imagined that industry could so quickly dictate the terms of the law's implementation.

The National Kidney Foundation wrote that these proposals ''continue to empower those who have been responsible for the problems that have plagued the transplant system.''

From what my staff has been told, Health Resources and Services Administration officials have threatened the very patient groups writing those letters to me and other Members of Congress. The Health Resources and Services Administration allegedly told some of these patient groups to retract their letters of concern and that their letters were a lie.

All of this is unacceptable—and should be to the 100 Members of this body who passed this legislation unanimously. I started working to fix our Nation's corrupt, broken organ donation system way back in 2005. Since then, more than 200,000 Americans have needlessly died on the transplant waiting list, disproportionately for people of color and people of rural America.

Patients and Congress fought for this legislation. Now, HHS, under this administration, needs to implement this law in the interest of patients. Patients' lives depend on it—200,000 lives over 40 years lost because of how this organization has distributed or lost or a hundred other ways you can say the organ not getting to the patient it was intended.

Maladministration by the organ network must stop, and it looks to me like HHS wants to keep it going as it is and prevent and stand in the way of this important piece of legislation.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MORAN. Madam President, this is a sad day. When we thought we had a victory for those across the Nation who are awaiting an organ for transplant, we found that they were thwarted by a system that was allied against them—a corrupt system, an internal system that worked to their detriment and not to their well-being.

And we thought, with the passage of this legislation—signed into law by President Biden—that we were finally giving those waiting for a transplant something called hope, something that is so important to them and their family members waiting on a kidney, waiting on a liver.

The only pleasure I take in today's conversation on this Senate floor is that I am allied with Senator GRASSLEY, the senior Senator from Iowa, who is one of the most effective Members of this body in our country's history. He has been an advocate, and we successfully worked together along with a number of our colleagues—Republicans and Democrats—to reform this corrupt system. And I join my colleague Senator GRASSLEY in voicing serious concerns regarding the way the Health Resources and Services Administration is implementing this piece of legislation, the legislation called Securing the U.S. Organ Procurement and Transplantation Network Act.

It was an amazing effort to right a wrong when we started down this path with this legislation. Nothing was easy. There was no cooperation from HHS or from OPTN. The only thing they did was try to keep us from having any success in reforming the sweetheart circumstance in which they operate.

I remember the day in which the Secretary of Health and Human Services, in front of our Appropriations Committee, conceded that we were right and that we had won the battle and he was our ally in fixing the problem. But now, a few shorts months later, it is evident that that is not the case when it comes to the implementation of the law.

It is not unclear. Certainly, the organizations that we were trying to dismantle and replace with better services without a bias—certainly, they knew what we were about. They know the intent of the legislation, and we know the letter of the law.

My involvement in OPTN reform stemmed from concerns with the 2018 liver allocation rule HHS developed with guidance from the Nation's Organ Procurement and Transplantation Network, UNOS, and some New England-area organ procurement organizations.

The liver allocation rule that they developed led to organs being taken from areas of high donation rates, like Kansas and other rural areas, to areas with low donation rates, like densely populated urban areas. It meant that people across the country were waiting longer for a transplant. It meant that, in that waiting period, people died; loved ones were gone. Not only was the liver allocation rule egregious, it demonstrated a bias of UNOS, which has had a monopoly on the organ transplant network contract for years.

As more documents were released through court rulings—this issue went to court—judges ordered UNOS to respond. Those responses demonstrated, in evidence, incompetence and bias. It became apparent to Congress and to thousands of Americans whose lives depended upon receiving an organ someday—an organ transplant—that something was terribly amiss.

Over the past year, Senator GRASSLEY and I, along with other Senate colleagues, have worked to make the congressional intent behind this legislation as clear as possible. No one opposed this legislation, but even if you disagreed with something, every Senator ought to insist that Federal Agencies implement the law as it is spoken in the letter of the law and, if any confusion, to look at the intent of the law. Every Senator ought to demand that of every piece of legislation and every Agency or Department.

Our goals were good: to increase the competition for this contract, to eliminate this good-old-boy network, and to eliminate UNOS's influence on OPTN. Unfortunately, in roundtables and committee hearings, both HRSA Administrator Carole Johnson and the HHS Secretary affirmed their understanding of Congress's intent. That is not the unfortunate part. It is that they affirmed it but now don't live by it.

They assured us that they shared our goals of increasing competition for OPTN bids and removing the abundance of conflicts of interest.

As HRSA starts this process of implementing the bill, it has become clear what they told us must be not what they meant. HRSA has decided that competition for the broad support contract will be restricted based upon attack status. That does not ensure fair, robust competition; it narrows the field and makes it much more likely we have the same system we had before. It is clearly contrary to Congress's clear direction.

Additionally, HRSA has named the current UNOS board members as members of the new ''independent'' board. With these announcements, HRSA has made it clear they do not intend to follow the law. Instead, HRSA has decided to remain in lockstep with UNOS, an organization that is proven—completely proven—to be undeserving of running our Nation's transplant program.

This isn't just some bureaucracy that is doing something that doesn't make sense to us. This is an Agency, a bureaucracy, a system, that is damaging the capability of Kansans and Americans to get lifesaving treatment with the transplant of an organ.

I expect, I ask, I insist, demand, HRSA to resolve our concerns by working with us in a timely fashion to implement the bill according to congressional intent, according to the letter of the law, and ensuring that UNOS does not maintain its dangerous stronghold over the network.

Congress passed this legislation because we knew that thousands of lives were at stake—thousands of lives of Americans who were on a waiting list to receive lifesaving organs.

This law requires a transparent, competitive contract process. But HRSA must get it right. The American people deserve a fair and effective organ-transplant process that saves lives and

best serves patients who are waiting for an organ.

I can't think—again, it saddens me so much to know the number of people who thanked us, who contacted us to tell us thank you for giving us hope that we will have an organ to transplant to save the lives of our mother, our father, our sister, our brother, our grandparents. What better time of the year than this holiday season—this Christmas season—in which we ought to restore that great gift called hope to these people who wait today for a better answer than what we see to date from our Department of Health and Humans Services.

I, again, thank Senator GRASSLEY for his leadership. I appreciate the opportunity I have had to work with him side by side. I commend him for his work that predates me—all for the well-being of people from his State; Madam President, your State; the people of my State; the people of America.

Please, please do this in a way that saves lives and gives hope for a better future for all Americans.

Mr. GRASSLEY. I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

DEFENSE SPENDING

Mrs. FISCHER. Madam President, our first session of the 118th Congress is coming to a close. But in the flurry of last-minute legislating, I want to call attention to one of the most important stories that I have read this year.

Now, I don't want to ruin anyone's Christmas, but this isn't good news. It is deeply sobering.

The Wall Street Journal article titled ''Alarm Grows Over Weakened Militaries and Empty Arsenals in Europe'' is what I would like to talk about. And here is how it begins:

> The British military—the leading U.S. military ally and Europe's biggest defense spender—has only around 150 deployable tanks and perhaps a dozen serviceable long-range artillery pieces. So bare was the cupboard that last year the British military considered sourcing multiple rocket launchers from museums to upgrade and donate [those then] to Ukraine, an idea that was dropped.
>
> France, the next biggest spender, has fewer than 90 heavy artillery pieces, equivalent to what Russia loses roughly every month on the Ukraine battlefield. Denmark has no heavy artillery, submarines or air-defense systems. Germany's army has enough ammunition for two days of battle.

The war in Ukraine has exposed just how serious our friends' readiness and supply problems are.

Think about what I said. The largest defense spender in Europe has considered raiding museums for scraps of usable equipment. When it comes to heavy artillery, Russia blows through France's entire arsenal every month. At least, Germany is prepared to do battle, as long as the war doesn't last longer than a 3-day weekend.

Europe's ''bare cupboards'' problem began many years ago at the end of the Cold War, when European nations began slashing defense budgets and drawing down troop numbers. Amazingly, the dire situation today is actually an improvement from 10 years ago. Since Russia's invasion of Crimea in 2014, the European Union has increased defense spending by 20 percent.

That is not nearly enough, and it has virtually nothing compared to our adversaries. Russia's spending increased by 300 percent and China's by almost 600 percent over the same time period.

European nations still rely on the military strength of the United States, which was responsible for 70 percent of NATO defense spending last year. But last year, America's defense spending was 3.1 percent of GDP, which is very nearly the lowest since the Second World War. Even if you add in the aid to Taiwan, Israel, and Ukraine, America's defense spending would still be far, far below 4.6 percent of GDP—the amount spent during the height of Iraq and Afghanistan operations in 2010.

Although it is on the lower end historically, increasing spending isn't the U.S. military's only concern. The past few decades show that we are unprepared to increase munitions production at the scale and at the speed to win a large war. In the Gulf and in the Iraq wars, it took over 2 years for our munitions procurement and deliveries to reach the necessary levels. And once these crises ended and demand for munitions dropped, we again sidelined production and we cut our workforce.

We need to build up the weapons stockpiles required to deter or, if necessary, fight and win a conflict against a peer adversary. To do so, we must commit to sustained increases in munitions and weapons production. Tools like multiyear procurement authority for additional munitions, which we included in this year's NDAA, can contribute to that long-term stability.

This boom-and-bust cycle we have of production has put the United States dangerously behind adversaries like China and Russia, whose capacity to build and replace equipment far outpace ours right now.

Take, for example, a war game that was recently conducted by the Center for Strategic and International Studies. In the hypothetical scenario where war breaks out over Taiwan, China could replace lost naval ships three times as quickly as the United States.

And if Russia wins in Ukraine, it could rearm itself completely—completely—in 3 to 4 years. The nation's finance ministry estimates that national defense spending will grow to 6 percent of its economic output next year, increasing by 2 percent. That 6 percent would be the highest level since the downfall of the Soviet Union.

The U.K. has gone the opposite direction. The nation hasn't had a fully deployable army in over 30 years. And its defense spending is stuck at 2.2 percent. Britain has pledged to increase that number by a meager .3 percent—but only when economic conditions allow.

And, unfortunately, industrial capacity will always lag behind spending. Even if Britain and other nations of Europe massively increase defense spending today, it would be years before we see that spending translated into an increase in production capacity. And, by then, it could be too late.

A new axis is forming. Russia and China have pledged new levels of cooperation, and both have humming military production machines.

Our allies must invest more in their defense. They must prepare themselves for what is coming. But they will not be alone.

Russia's war on Ukraine has highlighted a weakness in our collective security. When the next crisis arises, NATO will be unequipped to respond. But we cannot allow our alliance to remain unprepared. Instead, we must make the necessary sustained investments—and we must start making them now.

The United States must do everything in our power to accelerate our own production. And we must strongly encourage Europe to do the same.

I yield the floor.

The PRESIDING OFFICER. The Senator from Idaho.

RADIATION EXPOSURE COMPENSATION ACT

Mr. CRAPO. Madam President, I rise today to urge the Senate to do more for Americans who have suffered from the aftereffects of the development of our nuclear arsenal. It is profoundly disappointing to see that the necessary updates to the Radiation Exposure Compensation Act, spearheaded by Senators LUJÁN, HAWLEY, SCHMITT, and myself, were not included in the conference report of the National Defense Authorization Act.

When America developed the atom bomb through the Manhattan Project and tested those weapons through the Trinity tests, our country unknowingly poisoned those who mined, transported, and milled uranium, those who participated in nuclear testing, and those who lived downwind of the tests.

Don Harrison was one of those who lived downwind. Born in Emmett, ID, Don was born in 1931 and graduated from Emmett High School in 1949. He served in the U.S. Army from 1950 to 1953, came back to Emmett to marry the love of his life Donna, and worked as a farmer, dairy deliveryman, mechanic, and truckdriver to provide for his nine children.

His family describes him as a loving father who taught the values of hard work and integrity and to see the worth and light in others. But because Emmett received the third most radiation from being downwind of the Trinity tests, Don Harrison lived on poisoned ground. He ended up contracting basal cell carcinoma, squamous cell carcinoma, colon cancer, prostate cancer, and lung cancer and eventually passed away in 2018.

His daughter Vonnie shared his story with the Idaho Downwinders, with my staff, and me in the hopes of finally

righting the wrongs of leaving downwinders behind. Don Harrison was one of the thousands in Gem County, ID, alone and beyond who were unfortunately living in an area downwind of the Trinity tests.

This is not a matter just affecting conservative or liberal States. The bipartisan nature of the RECA updates is because it affects people regardless of political affiliation.

To be clear, the government's test of nuclear weapons caused this. It is our solemn duty to compensate those who have suffered because of these tests. The RECA amendments ensure that those who live downwind of the tests receive compensation from the government and provide support to uranium miners who worked during the Cold War.

I have worked with my colleagues for the past 13 years to attempt to right these wrongs, and July's vote to include RECA amendments in the Senate version of the National Defense Authorization Act shows the widespread bipartisan support to help those who have suffered. But it is frustrating and discouraging that bipartisan support from both Chambers of Congress still cannot get this legislation enacted into law.

While this speech is unlikely to bring the necessary updates back into consideration with this conference report, I am committed to working with my colleagues to update RECA to better reflect the realities of nuclear testing.

I thank Senators LUJÁN and HAWLEY and Representatives MOYLAN and LEGER FERNANDEZ for their tireless work, as well as the countless advocates who have shared their stories to achieve this necessary goal.

This fight is not over, and I look forward to the day when we can celebrate the necessary updates and commemorate those who did not live to see it.

I yield the floor.

The PRESIDING OFFICER (Ms. ROSEN). The majority leader.

ORDER OF BUSINESS

Mr. SCHUMER. Madam President, I ask unanimous consent that at 5 p.m., Senator PAUL or his designee be recognized to make a rule XXVIII scope point of order; that, if raised, Senator REED be recognized to make a motion to waive; and that if the waiver is successful, all postcloture time be considered expired and the Senate vote on the adoption of the conference report; finally, that there be 2 minutes equally divided before each vote.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The PRESIDING OFFICER (Ms. BALDWIN). The junior Senator from Kentucky.

UNANIMOUS CONSENT REQUEST—S. RES. 336

Mr. PAUL. Madam President, most of Europe—indeed, most of the civilized world—does not require three COVID vaccines for adolescents.

We are admonished by those on the left to follow the science. The science is pretty clear on this as well. The FDA committee on vaccines, as well as the CDC committee on vaccines, voted, and they said that it would be advisable—not a mandate, but that it would be advisable—to give a booster vaccine to those 65 and older. Adolescents were never addressed in this.

In fact, one of the members of the committee, Paul Offit, is a renowned scientist—infectious disease, Philadelphia Children's Hospital. He is pro all vaccines. He is pro the COVID vaccine. I think he probably doesn't even have trouble with the mandate, and yet he said the risks to the vaccine for adolescents are greater than the risk of the disease.

We address diseases based on the individual and who they are and what their risks are. You base the risks and benefits of treatment versus the disease.

The risks of COVID, particularly in 2021, for a 70-year-old, were maybe a thousand times more than for a teenager. In fact, when we have looked at some countries' statistics, the entire country of Germany had no deaths among healthy children between the ages of 5 and 17.

If you take out children who are very, very ill in our country and look at only healthy children, there is no measurable risk of dying from COVID in our country for the youth. Yet we still have a policy here, and this policy originated not with scientists nor with the scientific committee. The policy that they are adhering to here to force our Senate pages to have three vaccines actually comes from political appointees in the Biden administration.

It is not just a fact or a matter of whether or not the vaccine is of benefit to them. It is also a question of whether or not the vaccine is actually potentially harmful to them. We do know that there is a side effect to the vaccine, particularly in young people—particularly boys, but it can happen in girls—primarily between the ages of 14 and 24. We know that that risk increases with each successive vaccine because kids have a stronger immune response. We know this because even the CDC recommended that if you just had COVID recently, you shouldn't get a COVID vaccine because you have already gotten a heightened immune response from the disease itself.

But we know with certainty that none of the vaccine committees recommended that Senate pages have three vaccines. Yet that is still the policy.

We finally have come to the realization that almost everybody has either been vaccinated or had COVID and that, actually, natural immunity is about five times more potent than the vaccine.

We finally have come to a sensible policy with regard to our military. We are no longer mandating the COVID vaccine in the military. Yet one of the few places left on the planet where we are mandating it is in the Senate.

Now, admittedly, there are not that many Senate pages. But should we be lacking in science and ignoring the science to force them to do something that is actually potentially deleterious to their health.

Even the council for the District of Columbia recently voted unanimously to repeal the requirement that students receive a COVID–19 shot to attend public school.

Some on the other side will say: Well, we need to force the Senate pages to take these three vaccines because that is what the DC schools are doing.

The DC schools are no longer doing this.

The entire world admits that the vaccine does not stop transmission. So you can't make this indirect argument: We need to vaccinate them to save the old Senators. That is not true. It doesn't stop transmission.

We do believe that still, for vulnerable crowds, vulnerable age groups—over 65—there may be some reduction in hospitalization and death. There is no measurable benefit for adolescents, and there actually is a greater risk of myocarditis from the vaccine—admittedly still not a high risk but about between 4 and 6 out of 15,000—of an inflammation of the heart. But we do know the risk for a child or for an adolescent—a Senate page—dying is zero. If they have particular health problems and they want to take a vaccine, nobody is stopping them, but we shouldn't be mandating something that the science doesn't support.

So just before Thanksgiving, the Mayor of DC actually signed the legislation that gets rid of DC's mandate. There is no more excuse that the DC schools are requiring this. The council and Mayor of one of the most liberal cities in the United States are all of one mind: We have had enough of COVID vaccine mandates. We have had enough of students missing school for noncompliance. We have had enough of kids falling behind in their studies for the sake of a misguided mandate. Yet, to become a Senate page, you still to this day must get a COVID–19 booster shot. This requirement in the Senate persists despite the fact that study after study demonstrates that the risks posed by the vaccine for young and healthy people are greater than the risks posed by COVID. In addition, all sides acknowledge that the vaccines do not prevent transmission.

Study after study shows that it makes no sense to mandate COVID vaccinations for teenagers who are healthy and that such a mandate could be dangerous.

A myocarditis study published last year in the Journal of the American Medical Association Cardiology examined 23 million people ages 12 and up across Denmark, Finland, Norway, and Sweden. This study of 23 million people found that after 2 doses of an mRNA vaccine, the risk of myocarditis was higher compared with being unvaccinated and higher after the second dose of the vaccine.

Almost all of the myocarditis came after the second vaccine. With each vaccine, it increases the risk because the kids, or younger people, make an amazingly strong immune reaction to the vaccine. The risk was highest among males ages 16 to 24.

That is why many of us argued until we were blue in the face that mandating it for our young soldiers was wrong and actually malpractice. We finally did succeed in removing that mandate, and that was actually passed by both Houses of Congress and signed by the President. Yet the same risk exists for the Senate pages, and the mandate continues.

This is exactly why several European countries—including Germany, France, Finland, Sweden, Denmark, and Norway—all restrict the use of mRNA vaccines for COVID for young people. Yet the policy for Senate pages blindly commands vaccines for young, healthy people.

A study published in December 2022 in the Journal of Medical Ethics found that per 100,000 third doses of mRNA vaccine, up to 14.7 cases of myocarditis may be caused in males ages 18 to 29. Up to 80 percent of those diagnosed with vaccine-induced myocarditis or pericarditis continued to struggle with cardiac inflammation more than 3 months after receiving a second dose.

Also in December 2022, Dr. Vinay Prasad and Dr. Benjamin Knudsen published a review in the European Journal of Clinical Investigation that examined 29 studies across 3 continents. Madam President, 6 of the 29 studies showed that after 2 doses of an mRNA vaccine, more than 1 in 10,000 males between the ages of 12 and 24 would experience myocarditis.

A study published the same month in the Annals of Internal Medicine found that, regardless of sex, among those ages 5 to 39, myocarditis or pericarditis occurred in 1 in every 50,000 after a first booster.

With statistics like that, why would anyone think that it is a good idea to insist upon boosters for our young pages, who are in their early teenage years?

It is the height of malpractice to subject young people to the greater risk of vaccination simply to satisfy the hunger for mandates. But even the bureaucrats are finding that they can no longer credibly impose COVID mandates. There is a growing movement among scientists and doctors across the country to think more rationally about this.

We have always had this. For example, the flu vaccine was never mandated on children. Children survived the flu and developed immunity. How long does your immunity last? Curiously, they found a woman who had survived the Spanish flu who was still alive just a couple of years ago. She actually still had antibodies to the Spanish flu although it had been nearly 100 years since she was infected. We know that people who had the first SARS in 2002 and 2003 still have antibodies nearly 20 years later.

People have learned to live with COVID. Even the DC Council, which governs one of the most liberal, mandate-happy cities in the country, knows that their constituents will no longer tolerate mandates, particularly those imposed on children, but the Senate COVID vaccine mandate remains.

Will this mandate continue indefinitely, and if so, based on what data? What if someone can come let's say 5 years from now and say: I have had COVID 15 times, and the last 8 times, it was minor cold symptoms. Yet you are still mandating I take a vaccine that doesn't stop transmission and has no benefit to hospitalization or death for young people?

You know, when they approved the booster for kids—it was never recommended, but they approved it for kids—they could not come up with data showing reduced hospitalization or death. Why? Because young people aren't going to the hospital or dying from COVID. They simply have it from the beginning, and they don't now.

The only way they could actually try to prove efficacy—and not really efficacy but to prove some kind of effect from giving a booster—is they said: If you give these kids a vaccine, they will make antibodies.

Well, my response to that is, you can give them 100 vaccines, you can give them 1,000 vaccines, and they will make antibodies every time. That is proof of the concept of the way vaccines work, but it doesn't mean you have to or need a vaccine.

Public health measures should be backed up with proof that the benefits outweigh the burdens. There is no evidence of that when it comes to vaccination and booster mandates, especially for teenagers, who, as a group, are less vulnerable to this virus than any Senator. In fact, it is a little-known fact but absolutely true that the seasonal flu, or influenza, is more deadly than COVID for people in the ''young'' category. In the category for the age of the Senate pages, the seasonal flu is more deadly than COVID.

Now, this isn't to downplay COVID; it is just to say that COVID had a very targeted mortality and lethality. Its target was generally over 65. It was also those who are obese at almost any age. But it specifically was not fatal for young, healthy people.

I merely ask that the Senate open its eyes to what several other countries are doing, what the rest of the country sees: that COVID vaccine mandates on children are harmful, counterproductive, and must be put to an end. That is why I ask unanimous consent that the Senate pass my resolution to end all COVID-related vaccination mandates for pages who serve in the Chamber.

So therefore I ask, Madam President, unanimous consent that the Committee on Rules and Administration be discharged from consideration and the Senate now proceed to S. Res. 336; further, that the resolution be agreed to and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The junior Senator from Connecticut.

Mr. MURPHY. Madam President, this is the third time that Senator PAUL has made this unanimous consent request. It is the third time that I will come down to the floor to object.

We can continue to use the Senate's time to have this debate and argument or we can use our time more wisely and focus on topics that matter a little bit more to the American public than the vaccination policy for Senate pages.

I wish Senator PAUL would stop dragging these hard-working Senate pages into his relentless campaign against vaccine science. I think it is pretty unsavory. These young men and women do a really good, important job for us, and to be dragged into the middle of Senator PAUL's focus on trying to unwind and undermine vaccine science I don't think is good for the Senate, and I don't think it is good for the Nation's public health.

CNN reported earlier this year that COVID–19 is a leading cause of death for children in the United States. It is a fairly low mortality rate—Senator PAUL is right—but there are children all over the country who have died from COVID–19. That is a fact. It is one of the leading causes of death for children over the course of the last 4 to 5 years.

So I do take seriously the idea that, as adults, we have a responsibility to protect the health and the safety of young people who come work for us, especially minors who are here under our care and protection. We owe a special duty of care to young people, students, who come and work in the U.S. Senate.

So, no, I do not think that the Senate should micromanage Senate employee health policy or the policy related to the healthcare and healthcare security of our pages. I think that we should allow that decision to be made by professionals. We are not vaccine scientists. We are not spending the entirety of our day thinking about the healthcare security of the workforce here in the Senate.

But I have two other reasons why I continue to object to this and I will continue to come down and object to this resolution.

First, Senator PAUL says that the existing vaccine is not effective against transmission, and I won't dispute the fact that this vaccine is not primarily being used to prevent transmission. But this is a permanent resolution. This resolution doesn't apply only to this moment in time. It doesn't apply to this vaccine or to this strain of COVID–19.

If next year there was a strain of COVID–19 and a vaccine that was more effective against transmission, then

there is no method by which we could require Senate pages to be vaccinated as a means of protecting the rest of us.

So the facts that Senator PAUL references are relative to this strain and this vaccine, but this is a permanent resolution. It controls the Senate and Senate health policy permanently. But more importantly, all of the facts that Senator PAUL references in terms of the low risk to children are all conditioned by a phrase that he, to his credit, continues to reference: that there is a low risk for young and healthy children. He said: If you just take out sick children—if you just take out sick children—then there is really nothing to worry about.

I don't think Senator PAUL has access to the medical records of every single page who is working for us. Neither do I. But I can take a guess that there are probably young people who come work for us who have preexisting conditions, who have underlying health complications that might actually make them more significantly at risk.

Senator PAUL will say: Well, that should be up to them. Well, we have a duty of care as their employer to make sure that when they are here, they are secure and they are healthy.

So I don't think you can just write this off, write the risk to the pages off by saying that if you are healthy, you are fine. You don't know the medical history of all these young people. There can be and likely is a risk of serious health complications.

Even if you come to the conclusion that that shouldn't be the responsibility of the Senate, to require the vaccine, this resolution is permanent. So even if you get a future vaccine that is more effective against transmission, this resolution controls.

So I will continue to come down here and object to this. I continue to be saddened by the fact that Senator PAUL brings our pages over and over again into this debate that he wants the Senate to have over vaccine science.

For that reason, I would object.

The PRESIDING OFFICER. Objection is heard.

The junior Senator from Kentucky.

Mr. PAUL. Nothing in our proposal bans future vaccines. So it is a spurious argument to say that somehow, this would prevent a future vaccine. Ten years from now Ebola erupts, and everybody is getting Ebola, and we have a great vaccine—nothing prevents that.

Now, he mentioned whether or not the children, the kids, the teenagers, might have a preexisting condition. We don't know that; you are right. So the people who take care of minors are their parents, and they would make a decision.

Nothing in this resolution prevents anybody from getting a vaccine. In fact, I would recommend you ask your doctor. That is the way you are supposed to do it: Ask your doctor and your parents and decide whether you need a vaccine. So, really, there are no real arguments here being made.

It is important to know that no one would be prevented from getting a vaccine, and no one would be prevented from having a new vaccine policy later on.

The question of who is dying from this is an important one because the question is whether for healthy kids, whether the risks of the vaccine are greater than the risks of the disease.

This is something people are going to have different conclusions on. But the science shows at this point that the risks of the vaccine are greater than the risks of the disease for healthy kids.

Now, if your kid is not healthy or had a kidney transplant and you want to talk it over with their doctor, by all means they can get a vaccine if they want. But realize that the other kids getting vaccines is not protecting your child because the vaccines don't stop transmission.

And this is admitted by everyone. Even the Biden administration admits this. Everyone admits they don't stop transmission.

So what we are doing here is going against all science. We are going against all freedom. We are taking the freedom away from our Senate pages and their parents to make this decision. And we are actually using faulty science. The two main vaccine committees that have looked at this voted to recommend this for only people over 65, where the evidence was that in that age group the risks of the disease were greater than the risks of the vaccine. I acknowledge that.

For children, teenagers, for adolescents, it is the opposite. The risks of the vaccine, while small, actually exceed the risk of the disease, which are virtually zero, if not zero, for healthy kids.

And so I find it elitist. I find it the height of arrogance that some people will want to make those decisions for others. In a free country, each individual should be allowed to make these decisions. You shouldn't have some nonscientist Senator coming forward and saying: You must do as I tell you, particularly when all of the science actually goes against that at this point.

But even if you disagreed with my point of view, I am not here to tell you that you have to take my point of view. Go get a vaccine for your kids if you want.

But the interesting thing is, people are smarter than you think they are. If you look at the statistics on vaccines, there will be people lamenting: Oh, if we only had more people vaccinated, we would have done so much better.

It is, actually, really not true. Over age 65, it is somewhere between 97 and 98 percent of people over 65 who chose to get vaccinated. People read the news. People are smarter than you think. People see someone their age dying, and they are like, I think I might get vaccinated.

But do you know how many people are vaccinating their teenagers? It is about 3 percent because people are reading the news that teenagers don't die from this disease. They also know that kids probably had COVID–19 already. They may have already had the test.

And what we do know from looking at millions of people in large studies, that if you have had COVID, your protection from getting it again or getting seriously ill is about 5 times better than the vaccine.

Now, that is not an argument for not getting the vaccine if you are in an elderly category or if you are in a high-risk category. But it is certainly an argument against getting it if you are a young person and you have already had COVID and now you are being forced to get this.

The other thing is, is the current Senate policy and page policy isn't taking into account the fact that if one of the pages had COVID 2 weeks ago and now they want to be a page and we won't let them come up, are they advising getting a vaccine if they only had COVID 2 weeks ago? I don't think there is any allowance for that. That is actually against medical advice to take a vaccine very quickly after you have already had COVID, because their immune response is so extraordinary, they get a heightened response. And that is when you get this overlap or overlay, which causes an inflammation of the heart.

So what I would find today is that the Flat Earth Society still just wants you to do as you are told. The Flat Earth Society doesn't believe in your medical freedom. And, yes, we will come back—and I will continue to come back—until some sense is finally jogged into the minds of those who want you to blindly just do as they are told—do as you are told, don't think about it, don't make your own decisions, do as you are told.

I think that form of elitism and arrogance will eventually backfire because there are a lot of people out there who made the decision that, you know what, I am not vaccinating my child because it is still under emergency use; it has some unknowns; and I know my kids have already had COVID. And I don't see any kids dying from COVID unless they are extraordinarily ill.

When the Senator says: Oh, they are the leading cause of death among children, they all have significant other terminal illnesses. None of them are healthy children dying from COVID.

Entire countries have released their statistics. There is even more that the government is hiding from us, frankly. The vast majority of people over 65 who took at least two vaccines: 97, 98 percent. So if you have taken two vaccines and you have gotten COVID twice—which is the average person over 65 because it doesn't stop transmission—you have had two vaccines and COVID twice, what are your risks of going to the hospital or dying?

That is what you want to know. Do you need to take a vaccine every 3

months? Do I want to keep being vaccinated? Tell me what the statistics show, and I will make a rational decision based on that.

The CDC won't release this because the CDC, essentially, have become salesmen for Big Pharma. They want you to get vaccinated.

Big Pharma is complaining they are not making enough money on the vaccine because you are not rushing out to get another vaccine.

Wouldn't you want to know: Am I going to get sick and die if I already had COVID twice and I have already had two vaccines?

They have the statistics. So all I ask for is there ought to be a little more consideration for freedom. And I bring this up for the Senate pages because I do care about their medical freedom. And I care about their right to be left alone. And this is not the end of this debate.

The PRESIDING OFFICER. The Senator from West Virginia.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MANCHIN. Madam President, I ask unanimous consent that the Senate proceed to executive session to consider the following nomination: Calendar No. 108, Nickolas Guertin, to be an Assistant Secretary of the Navy; that the Senate vote on the nomination without intervening action or debate; the motion to reconsider be considered made and laid upon the table; that the President be immediately notified of the Senate's action and the Senate resume legislative session.

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

The clerk will report the nomination.

The legislative clerk read the nomination of Nickolas Guertin, of Virginia, to be an Assistant Secretary of the Navy.

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

The nomination was confirmed.

LEGISLATIVE SESSION

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

The PRESIDING OFFICER. The Senate will now resume legislative session.

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

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

The Senator from Oregon.

TSA FACIAL RECOGNITION

Mr. MERKLEY. Madam President, a question: Do we want a government surveillance state in the United States of America?

Movies like ''Gattaca,'' where citizens are tracked through their DNA, or ''Minority Report,'' where citizens are tracked through their retina scan, warn us what can happen under a fictional government surveillance state. But we don't need to depend upon movies and fiction to understand what a surveillance state means because we have, right now, a real-life government surveillance state in China. China's government surveillance state already tracks more than 1 million Uighur citizens through facial recognition.

As cochair of the Congressional-Executive Commission on China, I have had a front-row seat on how China uses facial recognition technology to track and to enslave a million people. And I have watched with some alarm as the U.S. Government has begun to expand its own use of facial recognition technology tied to databases, especially because there has never been a debate, let alone a vote, here in the U.S. Senate about whether or not we want to have a national facial recognition system controlled by the government. We have never had a debate related to the risks that that involves in terms of its potential threat to our freedom and to our privacy.

So I want to force there to be such a debate. I want to force there to be a vote. A government with power to track us everywhere we go is a real threat to privacy, a real threat to freedom. That is why Senator JOHN KENNEDY and I have introduced the bipartisan Traveler Privacy Protection Act to curtail the use of facial recognition technology by TSA.

Step-by-step, slowly, steadily, TSA is expanding its system of facial recognition technology. And let's just take a look at what that looks like. In 2018, TSA began with a 3-week test of facial recognition where passenger photos and data were deleted immediately. Then, in 2019, they did a second test, but they allowed the photos and data to be stored for up to 6 months. By 2020, we are talking about the ability by the TSA to hold photos and data for up to 2 years. In 2021, we are now talking about TSA beginning to match facial recognition photos against the Customs and Border Protection database—all of these steps taking place really with no recognition by Americans that this program is expanding in this fashion, certainly no discussion here in the Senate committees and Senate floor about this steady expansion. Ultimately, what the TSA is aiming at is a world in which your face is your driver's license; your face is your passport. Well, that means a massive database and massive tracking of Americans wherever they go.

This summer, the TSA announced plans to expand from the current 25 airports where facial recognition technology is used to 430 airports across the country. So no matter where you live, this system of tracking citizens is coming to your community.

In fact, as you see the geographic expansion, we are also seeing that technological expansion. TSA Administrator David Pekoske said in April of this year, a few months ago, at the South by Southwest Conference:

> Eventually we will get to the point [where] we will require biometrics across the board.

What he is really saying here is, right now, we are allowing some opt-out from the use of facial photos at the airport—and I will have more to say about that in a moment. It is very difficult to exercise that opt-out, but in the near future, the opt-out is going to go away. Everyone will have to be scanned everywhere you go in the TSA system.

Requiring facial recognition should set off alarm bells for everyone.

Once you have built the infrastructure of the database and the cameras, then it is easy and tempting for the government to use that infrastructure to track you in the name of security. I am reminded of Benjamin Franklin's warning that ''those who would give up essential Liberty to purchase temporary Safety, deserve neither Liberty nor Safety.''

I know there will always be a story about some bad guy hiding out in some town somewhere who gets caught on a camera and might not have gotten caught otherwise, but allowing the government to know where you are at all times is an enormous price to pay. It is a price paid in the loss of privacy and the loss of freedom. And that is why it needs to be debated, and that is why we need to put a brake on this system until we consciously lay out what we consider acceptable for the use of such technologies. We really don't know how a future government will use or misuse this technology, but we do know how it is misused in nations like China.

You know, passengers, as you go to the airport, are confronting a long line in which they see a lot of signs that I will show you in a moment. But what they don't understand is when they get to the front of the line, the TSA is going to go like this, directing you to stand in front of the camera. Many of us in this Chamber have experienced that because when you travel through Reagan National, that is exactly what happens every day, every week.

I was pretty surprised to see that show up with no signage saying that this was an opt-in program, which is the way the TSA had originally described it. But they changed it to an opt-out program, again, without clear debate or laws here in our Chamber being discussed or being passed.

As you stand in the line—these are pictures I have taken in previous trips through Reagan National. The things they want you to know have these big signs like this: ''You are entering an

area where all persons and property are subject to additional screening.'' OK. Good to know. You might trigger an alarm or have additional screening or, hey, you got any questions or comments? Here is how you reach us for live customer service assistance—or firearms, including shotgun chokes, are not allowed through security checkpoints. All firearms must be declared.

That is fine. These are things that they want you to know. There are actually seven different signs at Reagan National as you stand in line, but there is no sign saying that when you get to the TSA checkout point, you have an option to check out—to opt out of the program—no clear signs like this.

So I brought the head of TSA in and had a conversation about the fact that they are not informing citizens, and as a result of that, there is now some information—some information but not adequate information.

Now, here is a chart or a picture that I took. As you are directed here to the checkout, and you can see the driver's license—the sign is set sideways so nobody can read it until the moment that you are stepping up to the carousel. By then, you are all focused on doing what the guard is telling you to do, what the TSA agent is telling you to do.

I found this a little humorous that they put out these signs—after I gave them a hard time—but they placed them deliberately so people couldn't see them.

Let's take a look at what that old sign says: ''Self-service biometric identity verification technology paving the path for a safe and secure travel experience.''

Well, these type of signs are very different than the signs I just showed you. They are very detailed, and this is only when you actually reach the kiosk. Nobody has the chance to read this entire thing and realize what it is about. It doesn't say ''facial recognition'' at the top. It doesn't say: ''Remember, you have two options here'' in nice big print.

You have embedded in this—there are some details. Right down here it says ''Photo capture is optional,'' but you have to read through this and understand what it is talking about. Meanwhile, TSA is saying: Get in front of the camera. So that is really not a sufficient way of educating citizens and having a true opt-out or an opt-in program.

Now they have got a new sign. Now, this one also doesn't say ''facial recognition.'' And if you look down here to see what is highlighted: ''Use your physical ID. Use your eligible digital ID.''

These are not about opting out. No, they are about how to actually use facial ID. But there is a little tag down here at the bottom: ''If you decide to opt out of facial matching, notify the officer.'' Well, nobody, in the 2 seconds or 3 seconds you have as they motion you to step forward, where you can actually see this sign, is going to read this whole document and go: Oh, what is this all about—hidden at the bottom?

I mean, it is completely clear the TSA has no intention of actually having an opt-in program, and they have no intention of truly having an opt-out program because they are hiding all the information about the fact that you have that right.

Now, because of my complaints to the TSA—because of my advocacy—I said: You know, you need to have signs on the way in that alert people, and then you need to have a sign by the camera. Well, they didn't do any signs on the way in, but they did do a little sign right by the camera at the last second. It says: ''You may opt out of facial ID validation,'' and in smaller print, ''Please inform the TSA officer if you do not want the camera used. See additional information on the blue signs nearby.'' So they refer you over to read a more complex document.

Again, none of this makes sense if you want to give people real information because this is the last second as the officer is pointing to you to step in front of the camera.

The sign looks pretty large in this chart, but it is actually a little kind of 5 by 8 sign, again, to my point.

This sign also says: ''Your photo and limited biographic information will be deleted after your transaction.'' Well, if you hear that—''Your photo and limited biographic information will be deleted after your transaction''—it sounds like it will be deleted, like, immediately.

But what is TSA's real policy? That they can retain your data for 2 years. That is a big difference between a sign that implies that it is deleted immediately and the fact that they are going to keep your data in a database for up to 2 years.

It is outrageous that TSA continues to shuttle people through its facial recognition system and not tell people, clearly, it is optional and not tell people they are holding onto their biometric data. Worse, the agents are not at all clear about the rules of opting out, because I have repeatedly opted out and have tried to opt out.

And so I have the experiences to share with you. Here is what happens:

You get 4 or 5 feet out, waiting for the next person to leave, because there is a line that says: Don't go there. Then they mushroom you forward. The TSA immediately points to the camera, and on the far side of the camera is where you have to put your driver's license in, forcing you to step in front of the camera.

So you say: I am choosing to opt out, Officer.

And they say: Get in front of the camera—because they are not really familiar with what that means because nobody is informed; so nobody is doing it.

Then you say: No. There is an option to opt out, and I am choosing to opt out.

Then you have to explain it to the TSA agent: So I am giving you my driver's license, and I will even put it into that machine, but I am not stepping in front of the camera, which means you have to reach under the machine like this and, like, slide it in there. Then you have got to take it out, bring it back, hand it to the officer. They look at the photo on the screen that has been taken of your driver's license. They compare it to your face—all very good. Or they say: You stand over there.

So twice, of the several times I have attempted to opt out, I have been directed to stand over there, in a rather hostile fashion, while they have gone and found somebody to address the fact that this passenger is refusing to do what they say and step in front of the camera. Eventually, it gets resolved, but the first time, it included: And you, sir, are going to hold everyone up at this airport.

Well, thank you very much. It is supposed to be possible just to opt out and hand you my driver's license.

Stand over there, sir. No, don't move—all of which I would be happy to share with you on a recording because it is legal to take photos when you are in line at the TSA.

This is not OK. The massive expansion of state surveillance, which will create a national surveillance system here in America, with the potential for great abuse by the government, has to be debated here, has to be addressed here in the Senate Chamber. We need to put a halt on this expansion of this technology, and we need to do it soon.

Let me be clear: The legislation that Senator JOHN KENNEDY and I are proposing would not affect Customs and Border Protection. So don't tell me that some terrorists who will come into the country would have been caught because of facial recognition technology but for our not having it. What I am really talking about is creating a surveillance state—or stopping a surveillance state—inside the United States of America, not at the borders. What the legislation would do is guarantee that you could move about freely without being tracked everywhere by the government.

Let me also note that the TSA has been refusing to share their error rate from their initial studies. In many facial recognition systems, there is a lot higher error rate for people with brown or black skin, but they won't share that data.

They just say: Oh, it is accurate.

They say: It only has a 3-percent error rate.

Well, I would sure like to see the breakdown on that. A 3-percent error rate means they have 68,000 people a day who are erroneously addressed through this computer system.

Then they try to say: Well, this will be a more efficient system. It will be faster.

They still have to have the agent right there. I have watched it go faster

for individuals—TSA agents—who are both grabbing the driver's license and then comparing it to the face than it does in the photo system.

So they will make arguments, but I think we need to thoroughly examine those arguments. They will make arguments about a slight increase in security, and they will make arguments about a slight increase in efficiency—but at what cost to our privacy? At what cost to our freedom? Are those arguments actually even valid? They won't release the data.

I don't want America to be a surveillance state. I don't want it to be like the surveillance state with DNA portrayed in ''Gattaca.'' I don't want it to be like the surveillance state displayed with irises in the ''Minority Report'' movie. I don't want it to become an American surveillance state like China, using facial recognition. In China, that facial recognition is used to track and control their citizens, including the enslavement of more than a million ethnic Uighurs. I don't want America to become a surveillance state because we ignore the issue and let it just gradually expand, never debating it and never voting on it.

So I urge my colleagues—and Senator KENNEDY and I will be encouraging folks—to join us on this bill, the Traveler Privacy Protection Act. Let's say no to this steady expansion without a debate and without a vote—the steady expansion of the American Government surveillance state.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

UNANIMOUS CONSENT REQUEST—EXECUTIVE CALENDAR

Mr. DURBIN. Madam President, I come to the floor again to discuss two U.S. attorney nominations that have been on the calendar for weeks: Rebecca Lutzko, nominated to be U.S. attorney for the Northern District of Ohio, and April Perry, nominated to serve as U.S. attorney for the Northern District of Illinois.

On several previous occasions, I have had to come to the floor to request unanimous consent for the Senate to take up these noncontroversial, bipartisan nominations and confirm these law enforcement nominees. Each time I have come to the floor, asking for this, the junior Senator from Ohio has objected. He says that he ran for office to ''[f]ight the criminals—not the cops.'' It turns out to be a hollow promise when he is holding up criminal prosecutors, at a professional level, in two major parts of the United States—one of them in his own State.

Our communities desperately need top Federal prosecutors in place. Interested in stopping fentanyl? I am. Thousands of people are dying. Well, who is going to prosecute those cases? The U.S. attorneys will—93 of them across the United States—but you can't prosecute the case if you don't have the U.S. attorney there to lead the effort and to coordinate the effort with other branches of government. You can have an interim in there, and I am sure that person will do as good a job as he can, but it isn't like having the permanent person that you need as a U.S. attorney. Here we have two who have been chosen by the junior Senator from Ohio to stop—one from his own State.

U.S. attorneys lead the Nation's efforts to prosecute violent criminals and protect our communities from violence, terrorism, and more. The U.S. attorney for the Northern District of Ohio is no exception. While the entire Nation has been impacted by the opioid epidemic, Ohio has been hit harder than almost any other State. Over the course of 1 year—from April 2022 to April 2023—more than 5,000 Ohioans lost their lives to drug overdoses. That number is shocking—5,000 in 1 year. On average, every day, 14 Ohio families lose a loved one to drugs.

The U.S. attorney for the Northern District of Ohio could, as we speak, be tackling this drug crisis with community stakeholders, like the Toledo Metro Drug Task Force. Instead, her nomination has been languishing on the calendar here in the Senate for months because one Senator, the junior Senator from Ohio, has promised, I guess, former President Donald Trump that he would do his best to get even with the Department of Justice for even considering holding Donald Trump responsible for his conduct. It would be laughable if it weren't so damned dangerous.

Because Senator VANCE is not just harming my State and is not just harming his own State, the precedent he is setting will undermine public safety across the entire Nation for years to come.

As I have stated before, the Senate has a long history of confirming U.S. attorneys by unanimous consent. We don't even have rollcall votes. When it came time for the Trump U.S. attorneys, no votes were required. Democrats—in control for most of that period of time—said to the President and his administration: You pick the U.S. attorneys. That is your right as President. The junior Senator from Ohio does not agree with that.

Before President Biden took office, the last time the Senate required a rollcall vote on a U.S. attorney was in 1975. At the beginning of a new Presidential administration, it is customary for all the U.S. attorneys to resign en masse and for the new President to select their replacements. That is the ordinary course of business. As we have learned in the Senate, you can change that if you want to and run the risk of not bringing someone new to the position if it is that important. That is why, during the Trump administration, 85 of President Trump's U.S. attorney nominees moved through the Judiciary Committee.

Senate Democrats—Democrats—allowed Trump's nominees—every single one of them—to be confirmed by unanimous consent, many of whom we would not have chosen personally, but that was the tradition that we held to. It would not have been realistic to force a floor time debate on every single one of those nominees and still expect 85 U.S. attorneys to be confirmed and be on the job in a timely manner.

That tradition and the logic behind it obviously escapes the junior Senator from Ohio. So we respected our colleagues, and we respected the need for Senate-confirmed leadership in U.S. Attorney's Offices. The Democrats put public safety and the needs of law enforcement ahead of the obvious politics of the day. But now the Senator from Ohio is setting an unfortunate standard as he is putting us on a path of requiring cloture and confirmation votes for every U.S. attorney nominee—something everyone here knows is not feasible.

Does this sound reminiscent of another Republican strategy from another Republican Senator in the State of Alabama? He held up, I believe, 400 military promotions for months at a time. He was angry about a new policy in the Department of Defense after the Dobbs decision. To protest that, he literally put a brick on 400 nominees for promotion in the U.S. military. Finally—finally—2 weeks ago, he relented. We still have 11 to take care of.

To think of the hardship caused to those individuals and the fact that we didn't have leadership when we should have had for our national security is an indication to me of how this strategy of ''just stop the train; I want the world to get off'' is not a sensible one.

So what will happen in the future when, inevitably, dozens of U.S. attorneys are left to function without Senate-confirmed leadership? Public safety will suffer, and we are setting a terrible precedent. To get angry with the administration and to try to require a rollcall vote—at least one, maybe two—on each nominee is just unnecessary; it is not logical, and it doesn't follow the precedent of the Senate—all because one Senator has decided that, because Donald Trump is facing indictments and prosecution in various parts of the United States, he wants to protest by hurting the selection of U.S. attorneys in his own home State of Ohio and the State of Illinois.

We have before us two highly qualified nominees to lead their respective U.S. Attorney's Offices. Until we confirm them, law enforcement agencies in both Illinois and Ohio will be held back from doing their best to fight crime and to end our drug crisis in this country.

When the Senator from Ohio was asked why he was doing this and what his goal was, he was very explicit:

I will hold all DOJ nominations. . . . We will grind [the Justice Department] to a halt.

June 13, this year.

I can tell you, we just had a hearing—as you know, as a member of the committee—with the Director of the FBI. He talked to us about the battles he is fighting, the terrorism threats across America since the October 7 attack in Israel. He sees blinking lights, he says, in every direction of danger to the United States.

Are we going to have the Department of Justice on the job, with professionals doing the best they can, or are we going to let it grind to a halt? ''Grind to a halt''—those were his words. I hope we have some common sense in this situation, and I hope we do it right now.

Madam President, I ask unanimous consent that at a time to be determined by the majority leader, in consultation with the Republican leader, the Senate proceed to executive session to consider the following nominations: Calendar Nos. 314 and 315; that there be 2 minutes for debate equally divided in the usual form on each nomination; that upon the use or yielding back of time, the Senate proceed to vote without intervening action or debate on the nominations in the order listed; that the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order; and that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

The Senator from Ohio.

Mr. VANCE. Madam President, reserving the right to object and with respect to my colleague from Illinois, my argument here is very simple, and it is this: The Department of Justice, under Joe Biden and under Merrick Garland's leadership, has become a weapon for political intimidation as opposed to an instrument to prosecute justice in this country.

My colleague from Illinois says that Donald Trump has asked me to do this. He, of course, has no evidence for this fact, and I have never had a conversation with President Trump to this effect.

What I have said publicly and privately and to anyone who will listen is that the Department of Justice should be about justice and not about politics.

This hold policy, which covers two nominees right now and maybe a third coming up to the Department of Justice, is simply to say that this cannot go on. We are a republic, not a banana republic. So long as Merrick Garland prosecutes not just Donald Trump but any number of political opponents—from Catholic fathers of seven to parents protesting peacefully at their school board meetings—so long as the Department of Justice focuses on citizens exercising their rights rather than criminals who are violating the rights of others, I will continue to object, and I do object.

The PRESIDING OFFICER. The objection is heard.

The Senator from Illinois.

Mr. DURBIN. Madam President, I keep hearing this argument over and over again—weaponizing the Department of Justice. His complaint is that the Department of Justice has decided that Donald Trump, an American citizen, should be held responsible for his own conduct. Why would you argue that any citizen in this country is above the law?

I didn't choose to make that strategy or even support it publicly, but I can't argue with the decision by the attorney general, nor the State of New York, nor the State of Atlanta, who believe that Donald Trump did things that he should be held accountable for. He will have his day in court, like every American citizen. He should not be put in some saintly status that he can't be touched.

To think that in order to show my protest to any policy, I want to see the Department of Justice of the United States grind to a halt—does the Senator have any idea what he just said? To think that we would stop the court proceedings, we would stop the prosecutions, we would stop the war against drugs, we would stop the war against terrorism, have them grind to a halt because I am mad that the former President is being, in my mind, harassed by this administration—this is irresponsible conduct, it is dangerous conduct, and it is a terrible precedent to set in the Senate that we would say to any individual: You have the power to stop a nominee who has been found to be acceptable on a bipartisan basis through the Senate Judiciary Committee.

You know as well as I do that these nominees come before the committee, and both staffs, Democrat and Republican, tear through them to look for any flaws or any reason to stop the nominations.

These two nominees in Ohio—his home State—and in Illinois both passed the test, the bipartisan test, and they were on their way to do a job for America and make it a safer place to live, and he stops them because he doesn't like the way Donald Trump is being treated. Is that a fact? He admits it on the floor of the Senate.

It is hard to explain to the Senator—he is new to the Senate, relatively new to the Senate—that some of the traditions in the Senate are worth keeping.

The fact that we gave 85 U.S. attorney nominees to Donald Trump as Democrats and did it without a single record vote is an indication we were trying to help his administration do their job. Why won't the Senator from Ohio let the Biden administration do their job and keep his own State safe?

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

UNANIMOUS CONSENT REQUEST—S. 1819

Mr. MARKEY. Madam President, 2 weeks ago, our Nation surpassed 38 mass murders—the highest level since 2006. Since then, at least three additional mass murders have occurred. This harrowing record serves as another forceful call to action for Congress. We must act today to end gun violence. That is why I rise today in support of my 3D Printed Gun Safety Act.

I rise for those festival-goers in Las Vegas. I rise for patrons of Pulse nightclub and Club Q. I rise for the children in Sandy Hook, Uvalde, and Nashville. I rise for Mainers in Lewiston. I rise for all those victims whose names are not well known and whose stories do not dominate the airwaves. I rise, I rise, and I rise again.

There is no conceivable reason to further delay another gun violence prevention vote in the U.S. Senate. Senate Republicans are blocking the will of the American people and exposing Americans to unnecessary bloodshed.

This month, the Gun Violence Archive reported just under 40,000 gun-related deaths in the United States this year, including over 22,000 suicides. Additionally, over 1,500 minors under the age of 18 have been fatally shot.

I rise today for the 40,000 families whose lives are forever changed because Republicans refuse to take action on gun violence—40,000 families.

This Congress unfortunately has no shortage of brutally tragic stories to remind us that the most vulnerable among us will continue to suffer from firearm violence if we fail to act. We need to act now—and we should have acted a long time ago—to pass commonsense legislation that keeps guns out of dangerous hands.

There is a long list of commonsense bills that Democrats have introduced this Congress to prevent gun violence, but Republicans have not allowed a vote on a single bill. None of the bills have ever seen debate on the floor of the U.S. Senate. Just last week, Republicans blocked votes on a bill requiring safe storage of firearms and on a background checks bill, which is supported by 9 out of 10 Americans.

Experts continue to point to the availability of guns as the primary cause of the rise in gun violence in our country. It is unconscionable for my colleagues on the other side to continue to ignore this reality.

We are now faced with a terrifying new source of gun violence: 3D-printed firearms. 3D printing is an easy, quick, and inexpensive method for people to obtain a firearm who otherwise would be prohibited from doing so. Middle schoolers with access to their school's computer labs could print them. Convicted domestic abusers could print them.

It is not only 3D-printed guns but also gun components, 3D-printed components, including silencers, scopes, and braces, which increase lethality for those who are harmed by them, and 3D-

printed components can turn a semi-automatic firearm into an automatic firearm.

These guns present modern and unique challenges. Some 3D-printed guns are entirely plastic and evade metal detectors. This increases safety risks in public venues secured with metal detectors, such as airports, courts, concert halls, and government buildings. And 3D-printed guns are not typically serialized and therefore are not readily traceable. That increases the burden on local law enforcement as they work to solve cases across our country.

It is imperative that we put an end to the proliferation of these deadly weapons. So how can we do it? Well, we need to stop this problem at the source: readily available online blueprints.

Currently, the online sharing of blueprints is legal in all but two States in our country. My bill, the 3D Printed Gun Safety Act, would change that. My bill would make it unlawful to intentionally distribute 3D printer files that can produce firearms or any related parts. This change is common sense and constitutional, and it will save lives. A world where 3D printing instructions for firearms are freely accessible is a world where anyone can have a machine gun printed out in minutes.

I understand and appreciate that we do not all share the same views on gun violence prevention, but thousands of Americans have already died this year due to Republican obstructionism on sensible gun violence prevention reform.

We must end the stranglehold the National Rifle Association—the NRA—has on congressional Republicans. It is time to make NRA stand for ''not relevant anymore'' in American politics. That is what has to happen. That is the revolution we need in this country.

I thank Senator MENENDEZ and Representative MOSKOWITZ for their partnership. I thank Brady, Everytown, Giffords, and March for Our Lives for their advocacy. I thank the many organizations and organizers on the ground who are in every State helping families and communities to heal from the devastating impacts of gun violence. I thank my Democratic colleagues, who have staunchly supported every action that has come to this floor in an attempt to put an end to the scourge of gun violence.

Gun violence is tearing apart Republican and Democratic communities alike in this country. Stand with us on the right side of history. Today, we can start the long process that we are going to need of national healing right here in this Chamber.

I ask my colleagues for their support for my bill today.

Madam President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of S. 1819, the 3D Printed Gun Safety Act of 2023, and that the Senate proceed to its immediate consideration. I further ask consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from North Carolina.

Mr. BUDD. Madam President, reserving the right to object, I oppose S. 1819 because it is a solution in search of a problem.

First and foremost, people have made their own firearms since before America's founding. This is not a new issue in need of emergency legislation.

Second, firearms manufacturing is already very highly regulated. For example, the 1988 Undetectable Firearms Act made it unlawful to manufacture, import, sell, ship, deliver, possess, transport, or receive a firearm that cannot be detected by a conventional metal detector.

And even if someone violates this law using 3D technology, metal ammunition cartridges and the bullets themselves would still be detectible.

Third, 3D printing of firearms is an extremely technical process that requires high-level technology and an extensive time commitment, not to mention an extreme financial cost. Simply put, 3D manufacturing of firearms would be an entirely ineffective way for a criminal to obtain a firearm.

Fourth, this bill would be an unconstitutional infringement on the First Amendment speech rights of law-abiding hobbyists and firearms enthusiasts who simply want to share specifications about unique or antique firearms.

At the end of the day, we don't have a device problem; we have got a people problem. And this bill represents another attempt by some to use fear and misunderstanding to layer more Federal regulations on an already highly regulated industry.

If we share the goal of keeping our fellow citizens safe, a better approach would be to enforce the laws that are already on the books and to fully fund and support the police and reverse the soft-on-crime policies of Democrat-run cities. And that is how we ensure public safety.

Madam President, I object.

The PRESIDING OFFICER (Ms. CORTEZ MASTO). Objection is heard.

The Senator from Kentucky.

POINT OF ORDER

Mr. PAUL. Madam President, I raise a point of order that section 7902 of the conference report to accompany H.R. 2670, the National Defense Authorization Act, violates rule XXVIII.

The PRESIDING OFFICER. The Senator from Rhode Island.

MOTION TO WAIVE

Mr. REED. Madam President, pursuant to rule XXVIII, paragraph 6, I move to waive all applicable points of order, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Madam President, I would like to begin my remarks by focusing on what we are debating and what we are not debating. We really need clarity on this point of order and what it is about.

To be perfectly clear, what this point of order would do would simply be to remove from the National Defense Authorization Act a nongermane reauthorization of a surveillance authority—section 702 of the Foreign Intelligence Surveillance Act—that has a well-documented history of abuse.

Including the reauthorization in the NDAA, of course, violates rule XXVIII of the Senate rules governing conference reports. This particular provision was airdropped into the National Defense Authorization Act, notwithstanding the absence of any predicate for that provision either in the House version or the Senate version of the bill, which, of course, the conference committee was created to iron out. It was created to iron out the differences between those two bills.

Because it was in neither version, the Senate Parliamentarian correctly concluded that this is a nongermane addition to the measure, and as such, it is subject to a rule XXVIII point of order.

What this means as a practical matter today is this comes out; it comes out unless 60 Senators make a deliberate, conscious choice and make that choice by voting to waive rule XXVIII. They would be saying: Yeah, it is not germane. Yeah, it wasn't in the House version or the Senate version. Notwithstanding that, we want it in there anyway.

For the reasons that I will articulate now, that would be a grave mistake—a grave mistake on multiple levels. As I make that explanation, I do want to clarify at the very outset what I am not asking for, what is not my objective here. My objective is not to cede our ability to collect the substance of communications from our foreign adversaries under section 702 of FISA. That is not it. I am not trying to make the whole program go dark.

What I am talking about is the fact that we need much needed reform in this area because section 702 of the Foreign Intelligence Surveillance Act has been widely, infamously, severely abused over a long period of time, to the point that, literally, hundreds of thousands of American citizens have become victims of what I refer to as warrantless backdoor searches.

What does this mean? OK. So the way it works under FISA 702: FISA 702 allows our intelligence-gathering Agencies to go out and scoop up information—bits of information, recordings, phone calls, records of things like texts and email exchanges, and other types of electronic communications—and store them in a database. Insofar as those are directed, as section 702 orders are supposed to be under the Foreign

Intelligence Surveillance Act, at foreign nationals operating on foreign soil, we are not concerned about them.

The Fourth Amendment is not there to protect them. It is not there to protect our foreign adversaries operating on foreign soil. No. It is there to protect the American people, the American people against their own government.

The Fourth Amendment has been around for a long time. It has been on the books in the United States since 1791 when it was made part of the Constitution. And it provides, in essence, that you are entitled to a reasonable expectation of privacy in your person, in your papers, in your home; that the government can't just come in and search and seize your papers, your personal effects and communications—not without a warrant, a warrant that has to be based on probable cause, evidence of probable cause of a crime and that describes, with particularity, the things to be searched, the items to be seized, and so forth.

While new to this country as a matter of U.S. constitutional law as of 1791, it actually goes back a lot farther than that. These were things that evolved over many centuries under British law—and with good reason. So it was with good reason, it was on that foundation—centuries of British common law experience—that we adopted the Fourth Amendment into our Constitution. And it matters that we follow it. It matters that we follow it in every circumstance.

And every American ought to be concerned about deviations from that, especially whereas here, there is a pattern and practice of abuse, of going after Americans' communications.

So how does that happen?

In a database that is full of communications collected on and from and pertaining to our foreign adversaries on foreign soil, how do the rights of American citizens end up being threatened by that?

Well, here is how it happens: When they collect all of this stuff—on some occasions, foreign nationals communicate with friends, relatives, business associates—I don't know—perhaps intelligence targets, whatever they may be, who are in the United States, who are United States citizens. So some of those conversations—by phone, by text, by email, or whatever electronic means—end up being, as we say, incidentally collected and placed into the 702 database.

One of the biggest things we are concerned about here is that on literally hundreds of thousands of occasions, innocent, law-abiding Americans have been subjected to what we call a backdoor, warrantless search whereby someone at the FBI or another Agency enters in information.

They know that Bob Smith has a certain phone number or a certain email address or some other identifier; they know that Bob Smith is a U.S. citizen; and they go in and they search for communications in the 702 database pertaining not to a foreign terrorist, not to an agent of a foreign power outside the United States, not to a foreign adversary in any way outside the United States, but to Bob Smith, the law-abiding American citizen. In that circumstance, it is a problem. It is a problem to go into that without a warrant.

That stuff is there not just for the government's curiosity. It is there not for some voyeuristic, pleasure-seeking impulse on the part of Federal agents. No. It is there to protect the United States of America from foreign adversaries and to allow us to track our foreign adversaries and what they are doing. And so in order to go into that database, they should have to get a warrant.

Now, deep down, folks at the FBI appear not to disagree with that, at least in the sense that they try mightily to convince us that they are already preventing warrantless backdoor searches of American citizens' private communications on that database. In fact, they have been doing this. I have been in the Senate—along with my friend and colleague, the junior Senator from Kentucky, we have both been here for 13 years. The entirety of that time, I have served on the Senate Judiciary Committee. The entirety of that time, I have questioned FBI Directors and other people within the government, asking them about what happens with this 702 database, particularly as it relates to private communications that are stored in the 702 database of American citizens and searches involving American citizens.

Over and over and over again, for 13 years, like deja vu all over again, I get the same variation of the same set of answers: Don't worry. You have got nothing to worry about. We have really good procedures in the U.S. Government. We follow those procedures. We take them seriously. We are professionals, and we will not mess with your information.

Yet again and again and again and again, every single time they make that promise, it is like it is a curse because it gets worse every single time they say it. And every single time, I ask them more questions designed to delve into what they are actually doing, and every single time, including my most recent interaction with the FBI Director, Christopher Wray, just last week, it becomes clear, on closer examination, that they are not really stopping these things from happening.

In fact, just last week, Director Wray had the audacity to tell me that, no, this has all stopped now because he adopted some new procedures—like I hadn't heard that one before—when, in fact, some of the examples he pointed to were things that supposedly happened only after he had adopted these procedures and all the bad stuff had stopped after those procedures—it turns out, some of those things had happened after he had adopted those procedures.

No surprise to me; no surprise to anyone who has followed this; no surprise to anyone who understands human nature. And those within government exercise power that doesn't belong to them.

So we shouldn't be reauthorizing this, not in the NDAA. Not only is it not germane, not only was it not in the House version or in the Senate version, Madam President, it is not even necessary.

Why? OK. When you look at the statutory text, the statutory text adopted by the U.S. Congress in the Foreign Intelligence Surveillance Act amendments of 2017, which I think took effect in early 2018, they make abundantly clear that they were written in such a way as to provide for this very circumstance, meaning the circumstance in which we are approaching now, the scheduled expiration of section 702 of FISA at midnight on December 31, on New Year's Eve.

So at the stroke of midnight—now New Year's Day—FISA expires. Those who are in favor of waiving this point of order, disregarding the Senate rule XXVIII that should require us to strike this unnecessary, overbroad, and manipulative extension of FISA 702, they would have us believe that Armageddon will immediately be upon us—dogs and cats living together in the streets, the wrath of God, Apocalyptic stuff like we never experienced. Why? Because FISA 702 will have gone dark.

The problem with that argument: It is not true. It flies in the face of statutory text adopted by this Congress the last time we reauthorized FISA 702. And that language makes clear that even if FISA 702 expires during that time period, because there was a certification granted by the Foreign Intelligence Surveillance Court, known as the FISC—and that was issued on or about April 12 of 2023 and those certifications are designed to carry forward 365 days—we have at least until the end of the day on April 11, 2024, before communications could no longer be collected under section 702 because, again, we have the certification that is in place.

That certification, together with the language that was passed the last time we extended FISA 702, inadvisably—inadvisably—without any major statutory reforms—but we did include that one—we made that the case. So it is not going to go dark.

If Senator PAUL's point of order under rule XXVIII succeeds, and if we are able to thwart the effort to waive that—and it would take only 41 of us to do it, only 41 of us would have to stand behind that to prevent them from getting it to 60 to waive it—if that happens, it is still not going to go dark. It wouldn't go dark unless or until we hadn't extended FISA 702 before April 11, 2024.

It begs the question: Why in the Sam Hill did we have to put this thing in here if it wasn't necessary?

Well, I have a sneaking suspicion I know why some might hope that it

happens that way, for the same reason that it is not going to make 702 collection go dark as of 12:01 a.m. on New Year's Day. This measure, the 702 extension buried within the 3,000 or so pages of the National Defense Authorization Act, will give them a bright and golden opportunity to make this not a 4-month extension of FISA 702 but a 16-month extension of section 702.

In other words, if you read through the statutory text that we adopted the last time we reauthorized 702 and you wanted this to extend and you wanted to make sure that we delayed and delayed and delayed the period of time in which Congress would be forced to make a decision—a decision could result in serious reforms to FISA 702—what would you do?

Well, you would pass this very thing. You would waive Senator PAUL's point of order under rule XXVIII. And then you would probably wait until April, I don't know, 10 or 11 of 2024. You would go back to the FISC—the Foreign Intelligence Surveillance Court—and you would ask for a new certification. A certification that would do what? Move it forward another 365 days.

We would now be punting until April 2025, well after the 2024 election cycle had run to its end before having to address this. That is what we are dealing with.

Now, let's back up a minute. Let's say that there are some within the sound of my voice who might disagree with my interpretation of the statutory text we adopted the last time we renewed section 702 of the Foreign Intelligence Surveillance Act. They would be wrong because the text is really clear, but let's just assume that for a minute. Let's accept that premise for purposes of argument here. Even if that is the case, we can still strip out this poorly written measure and replace it with another freestanding measure, not adopt it as part of the NDAA—one that I prepared, one that I am introducing, along with my lead Democratic cosponsor, Oregon Democratic Senator RON WYDEN—that would reauthorize section 702 until mid-March. It would reauthorize it with instructions that say: If during that time period the FISC issues a new certification, that certification may not be read to authorize further collection under 702 if during that time period FISA 702 were to expire.

This makes a huge difference because if we do it this way, rather than through the National Defense Authorization Act, as Senator WYDEN and I have proposed doing, then we will actually have a force-moving event. We will actually have a real opportunity for the House and for the Senate to have an open, honest, robust, roiling debate about the nature and extent of the abuse that we have seen under FISA 702.

And we will be in a great position at that point to adopt real reforms—real reforms that would require you to get a warrant. If you want to collect information specifically on Americans in this FISA 702 database, you need to get a warrant. You just do.

The government may not like it because governments never like anything that makes it more difficult to do what they want to do, but our law enforcement Agencies do it all the time. They do it because they have to because it is the law, and it is the Constitution. We don't deviate from that. It is bad.

Somehow these intelligence gathering agencies and the FBI think that they are exempt when it comes to FISA 702. They are not. They should not be. No American should be comfortable with that. Recent experience and long-term experience have both taught us that there is a grave risk in doing that, in simply ignoring it, in simply presuming that the human beings that operate in this environment will always have their best interest at heart.

And yet, they want to push ahead with this measure, saying that the sky will fall. It will not. I am absolutely convinced, if we succeed tonight—if Senator PAUL's point of order succeeds and it is not waived—I am confident that within 24 hours, we can and we will adopt this freestanding measure to make sure that 702 doesn't go dark. Even though it wouldn't go dark otherwise, even though we won't need it, we are willing to do that. We are just wanting to clarify one thing, which is that we still have to have this debate. We still have to have a force-moving event in the next few months that works out the case, that reforms the system, that requires the government to get a warrant if they are going after an American. It is not too much to ask, not at all.

We have proposals that are ready to do that. I have a bill that I introduced with Senator WYDEN, the Government Surveillance Reform Act. There is a counterpart to that in the House of Representatives. It passed out of the markup in the House Judiciary Committee just last week. It contains these and other reforms, reforms about having to get a warrant, reforms that would impose some consequence to those government agents who abuse the system. And lest you think, even for a moment, that these abuses are contrived, fictitious, or a figment of our imagination—some sort of paranoid fantasy hallucination—they are not.

We need to support this point of order. We need to not waive it. Waiving it is lawless. Waiving this particular point of order would contribute to more circumvention of the Fourth Amendment.

In the spirit of English parliamentarian John Wilkes, whose rights under English law and the English Constitution were violated just before Easter in 1763, he stood up to the government. He stood up to the government. He stood up to the government of King George III, and he said: No, you are not doing this. He sued the officers who had carried out what was, in effect, a warrantless search of his home under the use of a general warrant. In some ways, it looks a little like a 702 collection of a citizen. In other ways, it is different because they didn't have the technology that we have got now, but the same principle applied.

He sued the King and his Ministers, and he won a large money judgment. He got all this as a result—and he was searched as a result and he was jailed in the Tower of London for a time as a result of his publication of a document known as North Britain No. 45.

North Britain No. 45 criticized King George III and his Ministers for, among other things, using general warrants, warrants that basically said go out and find people who did bad stuff, search them, seize their papers, their possessions, them, if necessary, and make it happen—no particularity requirement, no probable cause. Just go do it.

No. 45—a reflection of North Britain No. 45—quickly became synonymous on both sides of the Atlantic with the cause of liberty and with John Wilkes himself and with the cause against warrantless searches and seizures and the use of general warrants, which might as well be warrantless searches and seizures.

John Wilkes would be appalled by what he sees today. And the American people, just as they heralded him, an ocean away, in the 1760s and 1770s, after this happened, just as he was celebrated all over England by remembering him by the No. 45, they were celebrating him then too.

So, too, today the American people will be pleased because they will have reason to celebrate that they are no longer subject to these warrantless searches because they are wrong.

Once again, lest you be convinced, even for a moment, that this is hyped up, it is not. Now, look, if you are comfortable with the government, under the pretext of looking for foreign surveillance and without any kind of warrant, let alone evidence establishing probable cause, let alone something that would satisfy the particularity requirement of the Fourth Amendment—if you are comfortable with the government violating civil liberties of the American people this way, if you are comfortable with them violating the liberties of at least one sitting Member of the U.S. Senate—could be any of us—violating the civil liberties of at least one sitting Member of the House of Representatives—could be any of them, not sure who it was—with them violating the civil liberties of protesters, both conservatives and liberals, Republicans and Democrats, with them violating the civil liberties of 19,000 law-abiding innocent Americans whose only common thread was the fact that they all happened to have donated to a particular political campaign, if you are OK with these and hundreds of thousands of other egregious violations of the letter and spirit of the Fourth Amendment, then, by all

means, you should feel free to go ahead—go ahead—and support the motion to waive.

But if you are not OK with any of those things and don't think anyone is immune from them—if you are not OK with any of these things—it is illogical, it is irrational, it is insane to do anything other than to oppose the motion to waive the point of order.

So I will close by asking the question: Why would they want to do this? Those who are so dug in and making this even harder for the NDAA to pass in the House—you know, because of the fact that they airdropped this thing into the NDAA at the last minute sparked such a controversy over there that they are having to bring it up under a procedure known as suspension of the rules.

Suspension of the rules requires them to pass it with 290 votes instead of 218. It would make it infinitely easier for this thing to get passed and passed quickly over there if we just listen to Senator PAUL, if we just sustain rather than waiving, foolishly, the point of order that he is making under rule XXVIII.

They are wanting to avoid not only changing 702 and making the Federal Government answer to the people according to the U.S. Constitution, they are unwilling even to face the music of this debate—a debate that is long overdue, a debate that we should have had and that should have culminated in reforms through legislation in 2018 but did not. And shame on all of us for not making that happen. Some of us tried. We were overcome. But the American people are not going to take this anymore, nor should they.

So if you are not comfortable with those kind of abuses—and I think we should all be uncomfortable—with this sacrifice of liberty on the altar of fear, uncertainty, doubt, and dogged secrecy, then support Senator PAUL—support him in his meritorious point of order and oppose the motion to waive that point of order. The American people expect more, and the Constitution demands it.

Mr. VAN HOLLEN. Madam President, with regards to the motion to waive the point of order against the FISA section 702 provision in the conference report, I share the sponsor's concerns on the potential expiration of section 702 authorities, which are critical to foreign intelligence collection efforts and protecting the homeland. However, I am also deeply concerned that Section 7902 of the NDAA extends section 702 authorities without much-needed reforms to better protect the civil liberties of Americans.

Despite the fact that surveillance under this section is supposed to be limited to certain foreign nationals abroad, a FISA Court opinion released in July 2023 stated that the FBI conducted approximately 40,000–50,000 warrantless ''back door'' search queries of section 702 communications data targeting U.S. persons per quarter in 2022. I support the FBI's initiative to voluntarily adopt stricter internal compliance rules to address this problem, but the administration and Congress must work together to do more to balance the need for intelligence collection and the protection of civil rights.

Due to the FISA Court's certification process, the administration has acknowledged that, even in the absence of a formal 4-month extension, the government is able to conduct surveillance authorized under section 702 until April 11, 2024. I also understand that a formal extension of FISA authorities through April 2024, would effectively reset the clock and allow the administration to obtain a fresh certification from the FISA Court, thereby effectively extending the authority for an additional 12 months beyond the 4-month extension. That would only further delay our opportunity to review the program and propose necessary reforms. For the record, I would have supported an alternative that extended the formal authorization through April 2024, so long as it would have prevented the administration from obtaining a fresh certification to extend the program for another year after that. That alternative is not, however, before the Senate. The bottom line is that I agree that the section 702 program is necessary for our national security, but I also think it needs to be reviewed and reformed.

We should not short-circuit the robust, bipartisan discussions in Congress on how to reform this authority with a lengthy extension. I am voting against this motion to waive the point of order so we can pair the extension of section 702 surveillance programs with a serious and targeted reform effort that maintains critical national security capabilities in a manner consistent with constitutionally protected rights.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. PAUL. During the 1960s, the FBI spied on Martin Luther King and other civil rights protestors. The FBI spied on Vietnam war protesters. The Church Committee was formed in the 1970s and detailed these abuses, and the response by Congress was to pass something called the Foreign Intelligence Surveillance Act, or FISA. FISA was ostensibly passed to limit spying on Americans. It was supposed to be a reform, but as far as the Foreign Intelligence Surveillance Act allows government to spy on U.S. citizens without a warrant, it is unconstitutional.

As Dr. John Tyler from Houston Christian University points out, ''the FISA text, the Constitution's text, and the relevant opinions by the U.S. Supreme Court conclusively demonstrated that FISA, and its secret, ex parte''—meaning you only hear from one side of the court—these ''courts are unconstitutional for three reasons.''

''First, the secret, ex parte courts violate the case or controversy requirement of Article III.''

Courts are about deciding disputes between two parties. They aren't originated just to say: This is a pronouncement. There has to be a dispute, and in the FISA Court, it is more about having a generalized comment.

''Second, FISA violates Fourth Amendment liberties from unreasonable searches and seizures.''

''Third, FISA and its secret ex parte courts violate the due process guarantees of the 5th and 14th Amendments.''

Dr. Tyler goes on to say that ''lastly, the Supreme Court has ruled that national security does not require secret courts or justify ignoring the Fourth Amendment liberties.''

This unconstitutional government spying has been further authorized by adding section 702 to FISA. That law entrusts America's intelligence Agencies with broad authorities, supposedly to surveil foreigners abroad. But time has proven, again and again, that America's intelligence Agencies cannot be trusted with this immense power and responsibility.

Section 702 expires at the end of this year. We have known this for 5 years, and yet somehow the Senate has no time to debate this and wishes to simply extend it.

Members of Congress anticipated using this deadline as an opportunity not just to make meaningful changes but to reform FISA generally to better protect Americans' civil liberties, but it doesn't appear to be allowed to happen at this point. Everything is rush, rush, rush; let's pass it without debate. But they have known for 5 years that it was going to expire at the end of this year, and yet they just want to punt it with the hope that they will never have to debate it.

Extending this section 702 robs Congress of the ability to make reforms now and likely robs Congress of the opportunity to make reforms any time in the next year. That means that, once again, the intelligence Agencies that ignore the constraints on their power will go unaddressed and unpunished, and the warrantless surveillance of Americans in violation of the Bill of Rights will continue.

Using 702, Americans' communications, content, and metadata is inevitably swept up and kept in government databases without a warrant. Law enforcement Agencies then access Americans' communications, once again without a warrant. In other words, your texts, your emails, and your phone calls are collected into this massive government database, without a warrant, and then searched willy-nilly by thousands of different employees without a warrant.

As Judge Andrew Napolitano points out, ''the Constitution requires probable cause of a crime to be demonstrated to a judge before a judge [grants] a warrant. That was the law of the land until FISA.''

But now FISA has set up a special court that meets in secret, the Foreign Intelligence Surveillance Court, and it

authorizes ''judges on that court to issue search warrants based on a lower standard of probable cause.''

The Fourth Amendment says you have to prove to a judge probable cause of a crime. This says you only have to prove probable cause of an association with a foreign entity. This is contrary to the Constitution. This is not the Fourth Amendment.

The Constitution requires that warrants be issued on probable cause that a crime has been committed, but as Judge Napolitano makes clear, ''FISA established probable cause of foreign agency.'' So it lowered the standard. It is not probable cause of a crime. It is probable cause of association with a foreign agency.

But even that standard ''morphed [down] into probable cause of speaking to a foreign person,'' which then again morphed even further down to ''probable cause of speaking to any person who has ever spoken to a foreign person.'' All of that happened in secret and without Congressional approval.

With this weakened standard to order surveillance, these FISA judges, who meet in secret, grant 99.97 percent of all warrants. They are a rubberstamp for whatever they want to do. The left-leaning Brennan Center for Justice further explains why a law designed to protect the Fourth Amendment has led to their dissolution.

The Brennan Center states that ''dramatic shifts in technology and law has changed the role of the [FISA] Court since its creation in 1978.''

''The fundamental changes not only erode Americans' civil liberties, but [they] likely violate Article III of the U.S. Constitution, which limits courts to deciding concrete disputes between parties rather than issuing opinion on abstract questions.''

According to the Brennan Center, ''today's FISA Court does not operate like a court at all, but more like an arm of the intelligence establishment.''

''The FISA Court's wholesale approval process also fails to satisfy standards set forth by the Fourth Amendment, which protects against warrantless searches and seizures.''

Some people issued prescient warnings about the destruction of civil liberties and constitutional rights at the time. At the time, then-Senator Joe Biden stated that he was voting no on this section 702, this expansion of FISA powers. Senator Joe Biden said it ''would be a breathtaking and unconstitutional expansion of the President's powers and it is wholly unnecessary to address the problems the administration has identified.'' Then-Senator Biden added that he would ''not give the President unchecked authority to eavesdrop on whomever he wants in exchange for the vague and hollow assurance that he will protect the civil liberties of the American people.''

Boy, I wish that Joe Biden were still around and remembering his comments about FISA.

Patrick Eddington of the Cato Institute has dedicated his career to exposing the abuses of surveillance authorities. He argues that section 702 of FISA and its predecessors comprise the ''biggest unconstitutional mass surveillance dragnet in American history'' and that ''we have documentary evidence from the federal government's own records of repeated, systemic abuses'' of this authority.

Even the FISA Court itself, in 2018, held that the FBI's procedures for accessing Americans' communications that are incidentally collected under 702 violate both the statute and the Fourth Amendment. Even the FISA Court, which rubberstamps these warrants like there is no going away, says that they believe they are violating the Fourth Amendment.

But this warrantless surveillance on Americans goes on. In 2021 alone, the FBI conducted 3.4 million warrantless searches of Americans' communications. Like the spying on Martin Luther King and Vietnam war protesters, the FBI still targets individuals for their beliefs.

The FBI accessed the 702 database without search warrants to access the information of 19,000 political donors. They accessed the records of those involved with a protest on January 6. They accessed the records of a Member of Congress and ''Black Lives Matter'' activists.

You might think, oh, I have got nothing to hide, no big deal. You might think that if you avoid political activity, you can avoid the long arm of the government.

But think again. If you call a merchant in England or text a family member in Germany or email a friend in Israel, the feds can seize and search your communications without permission, without a warrant, and without due process.

But that is not all. The Federal spies can then capture all the communications of the persons you subsequently reached out to and all the persons they reached out to. It goes on and reaches its tentacles out, such that it gathers millions of communications.

Imagine a Senator or a Congressman who talks to a Prime Minister overseas. Their communication is in the database.

To allow this to happen—imagine all of the people who are in international business and who make international phone calls. Their phone calls are in the database.

And it would be one thing if we were just collecting this to look at terrorist activities, but, no, we let the FBI search any American's name in there. They can go in under any pretext.

We told the FBI: You have to list why you are searching the name. And they didn't do it. They actually go around some of the rules by saying: Oh, let's search 10,000 things and call it 1 query.

We cannot trust them. You cannot trust the fox to be in charge of the henhouse. We need controls, and Congress needs to do their job.

We had 5 years to think about this. It comes up, and we are just going to air-drop it in and say: Sorry. We haven't had time to think about this. We don't have time to reform it. We don't care about Americans' privacy.

That is what the majority, who will vote to just drop this in and turn the other way, will do.

It would be bad enough if the FBI limited itself to eviscerating the Fourth Amendment and indiscriminately collecting and searching the private communications of millions of Americans, but it is far worse than that.

As we all know, the FBI abused the immense power conferred to it by FISA to subvert a Republican Presidential campaign. In its zeal to investigate Carter Page, a foreign policy adviser to Candidate Trump, the FBI sought to obtain permission to conduct electronic surveillance on Page, not by going to a real judge, in public, in an article III court, but by going to a secret judge.

Imagine the chilling effect, if you can try to get beyond the politics of whether he is a Republican or a Democrat. Imagine the chilling effect of the government investigating political campaigns. How could anybody think that that is a good idea?

To eavesdrop on Page, the FBI needed to get approval from the FISA Court, not a real warrant but just a warrant that he was associated with a foreign government. The secretive court that grants 99.97 percent of warrants gave it to them.

But the FBI also relied on information they were given by the Trump opponent's campaign—Hillary Clinton's campaign. You have something called the Steele dossier that was all over the news. That dossier was given to the FBI by a political campaign. It was essentially opposition research. Clinton's Presidential campaign and the Democrat Party obtained the secret surveillance order by subterfuge.

But the FBI didn't verify or check the claims made in the dossier, as it is required to do by law. To put it in plain English, the FBI was able to spy on an American citizen because it presented the Democratic Party's opposition research as evidence to obtain a secret order on a campaign operative.

This was fraud. This was an abuse of power. This was an attempt to undermine a Republican Presidential campaign.

People talk about election interference. My goodness, what could be more of an interference in a campaign than getting a secret order from your intelligence Agencies to spy on a political campaign.

The order was ultimately found to be misleading, and you would think this would have led to scandal. You would think this would have led to punishment, but no one, really, was ever punished for this.

Even the New York Times described the effort to wiretap Carter Page as ''a

staggeringly dysfunctional and error-ridden process.''

But these are not errors. These are not honest mistakes. These are abuses of power. The audacity to dupe and manipulate the secret FISA Court demonstrates that the misconduct was not mere accident, but rather demonstrates the arrogance that inevitably results when a secretive, one-sided process all but assures these Agencies will never be challenged.

And what are we doing? The Senate will sweep this under the rug. We will have no reform. They have known for 5 years this is coming up, and they are not going to do a thing to reform it.

Since the FBI demonstrated a willingness to evade the rules to spy on an aide to a Presidential candidate, we should not be surprised that Carter Page was far from the only victim of the abuse of FISA authorities. A subsequent Department of Justice review reviewed 29 other FISA applications and found that each one contained factual discrepancies and errors, at an average of 20 mistakes per application.

More recently, Special Counsel John Durham's report on the FBI's probe into the alleged collusion between Donald Trump and Russia revealed that at least some FBI agents abused America's surveillance apparatus to open a groundless counterintelligence campaign against a Republican Presidential candidate.

And yet despite the abuses, despite the years of calls for reform, the Senate is presented with a defense bill that continues the status quo. In 5 years, they have had no time to debate this because they don't want to. They want to rubberstamp this, and they want to look the other way. Not one reform is included in this conference report that would address the neglect of the Bill of Rights. Rather, the only thing this conference report ignores is the long record of abuse of the Fourth Amendment.

The Fourth Amendment is no mere limitation of government power. The Fourth Amendment is fundamental to the concept of American liberty.

Today, the elected representatives of our country, whose Founders overthrew a King who claimed a mandate from Heaven to rule an empire, cannot muster the courage to tell its own law enforcement Agencies that we will not tolerate the evisceration of the Bill of Rights, nor the destruction of our electoral process.

Why would any Senator vote to waive this point of order? How can you look your constituents in the eyes and justify your vote to empower government at the expense of American's individual rights?

Do not fall for the hollow and cynical retorts from the other side who inevitably argue that the world is on fire. Those who make the lazy and predictable argument that government is your only shield from threats, always fail to mention that government itself is often a threat.

I think it is high time we quit letting fear overrun our constitutional duty. The Members of this body should do themselves the honor of standing by their oath to the Constitution. To protect our civil liberties and the integrity of the congressional conference committee process, we must strip this extension of domestic spying authority out of the Defense bill.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. I yield back all remaining time.

VOTE ON MOTION TO WAIVE

The PRESIDING OFFICER. All time is yielded back.

The question is on agreeing to the motion to waive the point of order.

The yeas and nays were previously ordered.

The clerk will call the roll.

The assistant bill clerk called the roll.

The yeas and nays resulted—yeas 65, nays 35, as follows:

[Rollcall Vote No. 342 Leg.]

YEAS—65

Barrasso	Fischer	Reed
Bennet	Gillibrand	Ricketts
Blumenthal	Graham	Risch
Boozman	Hassan	Romney
Britt	Hickenlooper	Rosen
Budd	Hyde-Smith	Rounds
Butler	Kaine	Rubio
Capito	Kelly	Schatz
Cardin	Kennedy	Schumer
Carper	King	Scott (SC)
Casey	Klobuchar	Shaheen
Cassidy	Lankford	Sinema
Collins	Manchin	Smith
Coons	McConnell	Stabenow
Cornyn	Moran	Sullivan
Cortez Masto	Mullin	Thune
Cotton	Murkowski	Tillis
Crapo	Murphy	Warner
Cruz	Murray	Whitehouse
Duckworth	Ossoff	Wicker
Ernst	Padilla	Young
Fetterman	Peters	

NAYS—35

Baldwin	Heinrich	Sanders
Blackburn	Hirono	Schmitt
Booker	Hoeven	Scott (FL)
Braun	Johnson	Tester
Brown	Lee	Tuberville
Cantwell	Luján	Van Hollen
Cramer	Lummis	Vance
Daines	Markey	Warnock
Durbin	Marshall	Warren
Grassley	Menendez	Welch
Hagerty	Merkley	Wyden
Hawley	Paul	

The PRESIDING OFFICER (Mr. OSSOFF). On this vote, the yeas are 65, the nays are 35.

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

The majority leader.

Mr. SCHUMER. Mr. President, for the 62nd year in a row, the Senate is passing our annual Defense Authorization Act—one of the most important bills we work on each year to protect the American people and ensure our long-term security.

At a time of huge trouble for global security, passing the Defense authorization bill is more important than ever. It will ensure America can hold the line against Russia, stand firm against the Chinese Communist Party, and ensures that America's military remains state of the art at all times all around the world.

I thank my colleagues on both sides for their great work on the NDAA. I applaud the leadership of Chairman REED—steady, steadfast, always getting it done—chairman of the committee, as well as the great cooperation he had from Ranking Member WICKER and all the members of the committee. I commend them for their good work.

Thanks to the good work on both sides, the final version of the NDAA contains many of the most important bipartisan provisions we had in the Senate's original bill.

We will give our servicemembers the pay raise they deserve. We will strengthen our resources in the Indo-Pacific to deter aggression by the Chinese Government and give resources for the military in Taiwan. We will give DOD more resources to deploy and develop AI, protect against foreign cyber threats, and increase transparency on unidentified aerial phenomena, which I was proud to work on with Senator ROUNDS.

Critically, we will approve President Biden's trilateral United States, UK, and Australia nuclear submarine agreement. The AUKUS agreement is a game changer. It will create a new fleet of nuclear-powered submarines to counter the Chinese Communist Party's threat and influence in the Pacific.

I want to commend all the staff who made this possible: Liz King, Jody Bennett, Kirk McConnell, Damian Murphy, Andrew Keller, David Weinberg, Chris Mulkins, and so on. I also want to thank the floor staff and the legislative staff that worked so long and hard to get it done. And, of course, everyone knows I love my staff: Yazeed Abdelhaq, Gunnar Haberl, Raymond O'Mara, Mike Kuiken, Meghan Taira, and so many others. The staff has put in long hours, and all 100 Senators thank them.

As I have repeatedly said, 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 blockade of the hundreds of military nominees. We have done that. Second, we needed to pass the NDAA. We are doing that now. And, finally, hardest of all, we must reach an agreement on a national security supplemental. We are trying.

Democrats are still trying to reach that agreement. We had very productive talks with our Republican colleagues today; but, of course, we have a lot of work to do left. We are going to keep working.

I yield the floor.

VOTE ON CONFERENCE REPORT

The PRESIDING OFFICER. Under the previous order, all postcloture time has expired.

The question is on agreeing to the adoption of the conference report to accompany H.R. 2670.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

The result was announced—yeas 87, nays 13, as follows:

[Rollcall Vote No. 343 Leg.]

YEAS—87

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

NAYS—13

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

The conference report was agreed to.

The PRESIDING OFFICER (Ms. HASSAN). The majority leader.

Mr. SCHUMER. I ask unanimous consent that the cloture motions filed during Monday's session ripen at 12 noon tomorrow, Tuesday, December 14.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

LEGISLATIVE SESSION

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

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

The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. Madam President, I move to proceed to executive session to consider Calendar No. 430.

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

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Christopher Charles Fonzone, of Pennsylvania, to be an Assistant Attorney General.

CLOTURE MOTION

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

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

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 430, Christopher Charles Fonzone, of Pennsylvania, to be an Assistant Attorney General.

Charles E. Schumer, Richard J. Durbin, Tina Smith, Benjamin L. Cardin, Alex Padilla, Richard Blumenthal, Christopher A. Coons, Mazie K. Hirono, Chris Van Hollen, Michael F. Bennet, Mark Kelly, Robert P. Casey, Jr., Tim Kaine, Patty Murray, Angus S. King, Jr., Jack Reed, Cory A. Booker.

LEGISLATIVE SESSION

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

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

The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. Madam President, I move to proceed to executive session to consider Calendar No. 444.

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

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Sara E. Hill, of Oklahoma, to be United States District Judge for the Northern District of Oklahoma.

CLOTURE MOTION

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

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

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 444, Sara E. Hill, of Oklahoma, to be United States District Judge for the Northern District of Oklahoma.

Charles E. Schumer, Richard J. Durbin, Jack Reed, Tammy Duckworth, Martin Heinrich, Tina Smith, Mark R. Warner, Jeanne Shaheen, Margaret Wood Hassan, Tammy Baldwin, Alex Padilla, Mazie K. Hirono, Sheldon Whitehouse, Peter Welch, Chris Van Hollen, Elizabeth Warren, Christopher A. Coons.

Mr. SCHUMER. I ask unanimous consent that the mandatory quorum calls for the cloture motions filed today, December 13, be waived.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

EXECUTIVE CALENDAR

Mr. SCHUMER. Madam President, I ask unanimous consent that the Senate consider the following nominations en bloc: Calendar Nos. 90, 341, 343, 434, 437, 438, excepting Col. Benjamin R. Jonsson; that the Senate vote on the nominations en bloc without intervening action or debate; that the motions to reconsider be considered made and laid upon the table; and that the President be immediately notified of the Senate's action.

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

The question is, Will the Senate advise and consent to the en bloc nominations of Executive Calendar Nos. 90, 341, 343, 434, 437, 438—excepting Col. Benjamin R. Jonsson?

The nominations are confirmed en bloc as follows:

IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Rear Adm. Shoshana S. Chatfield

IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Michele H. Bredenkamp

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Stephen G. Smith

IN THE AIR FORCE

The following named officer for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

To be brigadier general

Col. David J. Berkland

IN THE AIR FORCE

The following named officers for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

To be major general

Brig. Gen. Scott A. Cain
Brig. Gen. Paul D. Moga

IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated under title 10, U.S.C., section 624:

To be major general

Brig. Gen. Lawrence G. Ferguson

EXECUTIVE CALENDAR

Mr. SCHUMER. Madam President, I ask unanimous consent that the Senate consider the following nominations en bloc: Calendar Nos. 366, 411, 412; that the Senate vote on the nominations en

bloc without intervening action or debate; that the motions to reconsider be considered made and laid upon the table; and that the President be immediately notified of the Senate's action.

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

The question is, Will the Senate advise and consent to the en bloc nominations of Betty Y. Jang, of Illinois, to be a Member of the Board of Trustees of the Harry S Truman Scholarship Foundation for a term expiring December 10, 2029, (Reappointment); Laura Dove, of Virginia, to be a Member of the Board of Trustees of the James Madison Memorial Fellowship Foundation for a term expiring November 17, 2029, (Reappointment); and Laura Dove, of Virginia, to be a Member of the Board of Trustees of the James Madison Memorial Fellowship Foundation for a term expiring November 17, 2023?

The nominations were confirmed en bloc.

LEGISLATIVE SESSION

MORNING BUSINESS

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

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

RIO SAN JOSE AND RIO JEMEZ WATER SETTLEMENTS ACT OF 2023

Mr. GRASSLEY. Madam President, today, I placed a hold on S. 595, the Rio San Jose and Rio Jemez Water Settlements Act of 2023. The legislation is not paid for and would violate multiple budget enforcement rules. According to the Congressional Budget Office, the bill would increase the deficit by $1.7 billion.

TRIBUTE TO DAVID DILL

Mr. HAGERTY. Madam President, on behalf of myself and Senator BLACKBURN, I ask unanimous consent that the following remarks be printed in the CONGRESSIONAL RECORD in recognition of David Dill, the chairman and chief executive office of LifePoint Health.

Since 2017, David Dill has led LifePoint Health, a diversified healthcare delivery network consisting of 62 community-based acute hospitals, more than 60 rehabilitation and behavioral health hospitals, and more than 250 additional sites of care.

Under his leadership, LifePoint Health has become a leader in rural healthcare, serving as an influential voice for healthcare in communities across the Nation and helping to educate the industry on shaping policies that ensure that the needs of patients are met timely and effectively.

David grew up in a small community in Kentucky, giving him a unique understanding of healthcare providers in non-urban areas. Throughout his time at LifePoint, the company has invested significant capital into the communities it serves, including $1.1 billion in charitable donations and $5.5 billion in total economic impact during the year 2022 alone.

In addition to his success at LifePoint Health, Mr. Dill has served as the chairman of the board for the Federation of American Hospitals, the immediate past chair of the board of directors for the Nashville Health Care Council, and a member of the American Hospital Association's Health Systems Committee. Most recently, Mr. Dill was appointed to serve on the Tennessee Rural Health Care Task Force, which was formed by Tennessee Governor Bill Lee to advance his administration's efforts to better serve rural communities across the State.

On November 30, 2023, Mr. Dill received the 2023 B'nai B'rith Charles S. Lauer National Healthcare Award, which was established in 1983 to highlight the standard bearers within the healthcare industry throughout the country.

This award further recognizes his dedication to community service, excellence in leadership, and outstanding philanthropic commitment to the healthcare community and beyond.

I congratulate David Dill on his achievements, and I hope the rest of my colleagues join us in recognizing his tremendous contributions to rural healthcare across this country.

ADDITIONAL STATEMENTS

TRIBUTE TO TOM JENKINS

● Mr. BOOZMAN. Madam President, I rise today to recognize Rogers Fire Chief Tom Jenkins whose service and dedication will be missed following his retirement.

Tom has been a firefighter for 26 years, serving as chief of the Rogers Fire Department since 2009. He has truly lived out his childhood dream of becoming a firefighter and exceeded his young expectations.

As fire chief, he has worked tirelessly to develop and grow the department to fit the needs of the community. He advanced the department's medical services and improved the training of paramedics and firefighters to better serve Rogers residents. By making each ambulance a mobile emergency room and equipping each firetruck with medical equipment, he made sure citizens can get assistance no matter what type of emergency they are experiencing.

During his tenure, he successfully led the city to earning a class 1 rating by the Insurance Services Office. This accomplishment helped save property owners money as a result of the department's hard work and commitment to excellence.

Tom's leadership extends beyond Rogers. He served at the request of Arkansas Governors Mike Beebe and Asa Hutchinson on several State safety commissions and groups. He also served on the board of directors for the International Association of Fire Chiefs as second vice president. In 2017, he was elected president and chairman of the board. In this role, he traveled around the world observing other fire departments.

Tom is a humble servant who is always quick to give credit to the dedicated men and women he works with. He has seen the department through tremendous growth in the community, a pandemic, and more. He imparted a feeling of trust to citizens. They know when Rogers firefighters are on scene, they are in good hands.

While he will be missed, he has certainly earned a well-deserved retirement. Chief Jenkins demonstrated the true meaning of dedication, passion, and public service. I wish him the best of luck in his future endeavors.●

TRIBUTE TO DR. CARTER FILE

● Mr. MARSHALL. Madam President, I rise today to thank Dr. Carter File for his many years of service to the State of Kansas and Hutchinson Community College, as well as honor him for all that he has accomplished during his career.

A dedicated educator committed to service, Carter began his journey at Cloud County Community College as a student and later graduated from Kansas State University, where he obtained a bachelor of arts degree in accounting. After a brief hiatus from education, Carter went back to school at the University of Baltimore, where he earned a master of business administration, later pairing that with a doctor of philosophy degree in educational studies from the University of Nebraska-Lincoln.

In 2005, shortly before he began his doctoral work, Carter began his service to the State of Kansas when he became the vice president of finance and operations of Hutchinson Community College. Although he was juggling school and work simultaneously, Carter hit the ground running, quickly building rapport with the board of trustees, faculty and staff, the local community, and the student body. Under his guidance, Hutchinson Community College expanded its services; renovated sports facilities for high school and collegiate use; revamped, with the help of local entrepreneurs, the Richard E. Smith Science Center, and dedicated the Bob and Lou Peel Allied Health Center, all of which greatly contribute to better serving the people of Central Kansas.

With these accomplishments in hand, it is unsurprising that the board of trustees at Hutchinson Community College decided to elevate Carter to the presidency of the school in 2014. Following this promotion, Carter continued to build on his prior successes. In

2015, he oversaw the construction of the Fire Science Training Center, which the college completed in conjunction with the Hutchinson Fire Department. A few years later, Carter orchestrated the opening of the HutchCC Cosmetology Program, expanding the diversity of programs the college offers its students. But perhaps Carter's crowning achievement is being able to coordinate the support of the city of Hutchinson, the voters of Hutchinson, and the college to garner the funds necessary to revitalize the Hutchinson Sports Arena, which has brought nationwide industry and acclaim to Hutchinson and throughout Central Kansas.

Carter will officially retire from Hutchinson Community College on August 31, 2024, after over 24 years of service in higher education. I now ask my colleagues to join me in recognizing the distinguished career of Dr. Carter File, as well as thank him for all his work on behalf of the State of Kansas and Hutchinson Community College.●

REMEMBERING LLOYD KENNETH ROGERS

● Mr. PAUL. Madam President, I rise to honor a great Kentuckian, Lloyd Kenneth Rogers, who passed away on December 8, 2023, at the age of 90, following a recurrence of mantle cell lymphoma.

Lloyd was born on June 10, 1933, in Bracken County, KY. Early in his life, he lost his father at a young age and spent time in an orphanage with his brother. However, despite these humble beginnings and challenges, he developed a resilience that would serve him well later in life.

Lloyd was guided by his unwavering commitment to freedom and liberty. He demonstrated this in his service with the U.S. Navy and later through numerous leadership roles in his community. From his service as judge executive of Campbell County, KY, to his role as director of veteran Affairs for Congressman THOMAS MASSIE, to his advocacy of legislative reform for veterans, Lloyd embodied service before self and demonstrated his deep affection for this country and the men and women of our armed services. He put the needs of those around him first, and he never backed down when he believed he was fighting for what was right.

Lloyd worked tirelessly to advocate for and encourage candidates for public office that he believed in. In my first campaign, he spent hours, braving all elements, putting up hundreds of signs supporting my candidacy for Senate, and in 2016, he organized a nationwide veteran's group for my Presidential campaign. I am grateful for the enthusiasm and support he showed me throughout the years.

While we share in the great sadness of his passing, it is with great joy we look back at his life, his many accomplishments, and the positive impact he had on his community and Kentuckians across the Commonwealth. We honor Lloyd and his family, and may he rest in peace.●

TRIBUTE TO ZHON BUTTERFIELD

● Mr. RUBIO. Madam President, I recognize Zhon Keith Butterfield, a fall 2023 intern with my gulf coast regional office, for the hard work he has done for my office and the people of Florida.

Zhon is currently a student at St. Petersburg College, where he is majoring in public policy and administration. He is a dedicated and diligent worker who was devoted to getting the most out of his internship experience.

I extend my deepest gratitude to Zhon for his work with my office, and I look forward to hearing of his continued good work in the years to come.●

TRIBUTE TO JOHN NOEL

● Mr. VAN HOLLEN. Madam President, I rise today to honor John Noel, a man who has been instrumental in preserving Maryland's historical sites at the Chesapeake and Ohio Canal National Historical Park for over two decades. Throughout his tenure, he has established a reputation as a dedicated leader and guardian of Maryland's treasured landscapes.

Since assuming the role of deputy superintendent in 2014, Mr. Noel has been vital to the C&O Canal's mission. He has ensured that the Park's over 5 million annual visitors experience a page of history as they walk through its grounds. Mr. Noel's charge at the C&O Canal—overseeing the Park's maintenance, operations, and educational programming—has touched the lives of many. His work, in collaboration with his team, spans the Park's impressive 184.5-mile stretch.

Mr. Noel's leadership in preserving the history of the C&O Canal is truly commendable. For nearly 100 years, the canal was a lifeline for communities along the Potomac River, transporting coal, lumber, and agricultural products to market. His journey at the National Park Service has had a profound impact, shaping not only the terrain of the park but also the hearts of all who had the pleasure of working alongside him.

Mr. Noel's footprints along the C&O Canal and his impact will continue to be remembered by all and serve as a source of strength. Maryland's historical sites will continue to be honored and preserved because of Mr. Noel's leadership, and I ask my colleagues to join me in congratulating him and wishing him a well-earned, enjoyable, and fulfilling retirement.●

MESSAGE FROM THE PRESIDENT

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

PRESIDENTIAL MESSAGE

REPORT OF THE CONTINUATION OF THE NATIONAL EMERGENCY THAT WAS ORIGINALLY DECLARED IN EXECUTIVE ORDER 14059 OF DECEMBER 15, 2021, WITH RESPECT TO GLOBAL ILLICIT DRUG TRAFFICKING—PM 33

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to global illicit drug trafficking declared in Executive Order 14059 of December 15, 2021, is to continue in effect beyond December 15, 2023.

The trafficking into the United States of illicit drugs, including fentanyl and other synthetic opioids, is causing the deaths of tens of thousands of Americans annually, as well as countless more non-fatal overdoses with their own tragic human toll. Drug cartels, transnational criminal organizations, and their facilitators are the primary sources of illicit drugs and precursor chemicals that fuel the current opioid epidemic, as well as drug-related violence that harms our communities. International drug trafficking—including the illicit production, global sale, and widespread distribution of illegal drugs; the rise of extremely potent drugs such as fentanyl and other synthetic opioids; as well as the growing role of internet-based drug sales—continues to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. Therefore, I have determined that it is necessary to continue the national emergency declared in Executive Order 14059 with respect to global illicit drug trafficking.

JOSEPH R. BIDEN, Jr.

THE WHITE HOUSE, *December 13, 2023.*

MESSAGES FROM THE HOUSE

At 10:46 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 788. An act to amend the Permanent Electronic Duck Stamp Act of 2013 to allow

States to issue fully electronic stamps under that Act, and for other purposes.

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

H.R. 357. An act to require the head of an agency to issue and sign any rule issued by that agency, and for other purposes.

H.R. 4531. An act to reauthorize certain programs that provide for opioid use disorder prevention, recovery, and treatment, and for other purposes.

H.R. 5119. An act to amend title 31, United States Code, to provide small businesses with additional time to file beneficial ownership information, and for other purposes.

H.R. 5524. An act to amend the start date of the pilot program on sharing with foreign branches, subsidiaries and affiliates.

ENROLLED BILLS SIGNED

At 12:39 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

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 enrolled bills were subsequently signed by the President pro tempore (Mrs. MURRAY).

ENROLLED BILL AND JOINT RESOLUTION SIGNED

At 6:16 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bill and joint resolution:

H.R. 1734. An act to require coordinated National Institute of Standards and Technology science and research activities regarding illicit drugs containing xylazine, novel synthetic opioids, and other substances of concern, and for other purposes.

S.J. Res. 32. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Bureau of Consumer Financial Protection relating to ''Small Business Lending Under the Equal Credit Opportunity Act (Regulation B)''.

The enrolled bill and joint resolution were subsequently signed by the President pro tempore (Mrs. MURRAY).

MEASURES REFERRED

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

H.R. 357. An act to require the head of an agency to issue and sign any rule issued by that agency, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 4531. An act to reauthorize certain programs that provide for opioid use disorder prevention, recovery, and treatment, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

H.R. 5119. An act to amend title 31, United States Code, to provide small businesses with additional time to file beneficial ownership information, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 5524. An act to amend the start date of the pilot program on sharing with foreign branches, subsidiaries and affiliates; to the Committee on Banking, Housing, and Urban Affairs.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, December 13, 2023, she had presented to the President of the United States the following enrolled bills:

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.

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–3088. A communication from the Chair, National Endowment for the Humanities, transmitting, pursuant to law, the Endowment's Performance and Accountability Report for fiscal year 2023; to the Committee on Homeland Security and Governmental Affairs.

EC–3089. A communication from the Chair of the Board, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the Corporation's Office of Inspector General's Semiannual Report to Congress and the Pension Benefit Guaranty Corporation Management's Response for the period from April 1, 2023 through September 30, 2023; to the Committee on Homeland Security and Governmental Affairs.

EC–3090. A communication from the Chair of the Federal Trade Commission, transmitting, pursuant to law, the Commission's Semiannual Report of the Inspector General for the period from April 1, 2023 through September 30, 2023 and the Uniform Resource Locator (URL) for the report; to the Committee on Homeland Security and Governmental Affairs.

EC–3091. A communication from the Chair of the Board of Governors, Federal Reserve System, transmitting, pursuant to law, the Inspector General's Semiannual Report for the six-month period from April 1, 2023 through September 30, 2023; to the Committee on Homeland Security and Governmental Affairs.

EC–3092. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, the Department's Semiannual Report of the Inspector General for the period from April 1, 2023 through September 30, 2023; to the Committee on Homeland Security and Governmental Affairs.

EC–3093. A communication from the Director of Congressional Affairs, Federal Election Commission, transmitting, pursuant to law, the Commission's Semiannual Report of the Inspector General for the period from April 1, 2023 through September 30, 2023; to the Committee on Homeland Security and Governmental Affairs.

EC–3094. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 25–317, ''CJCC Data Collection Correction Temporary Amendment Act of 2023''; to the Committee on Homeland Security and Governmental Affairs.

EC–3095. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 25–302, ''Karin House TOPA Exemption Temporary Act of 2023''; to the Committee on Homeland Security and Governmental Affairs.

EC–3096. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 25–303, ''Medical Cannabis Patient Access Clarification Temporary Amendment Act of 2023''; to the Committee on Homeland Security and Governmental Affairs.

EC–3097. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 25–312, ''Ward 8 Community Investment Fund Temporary Clarification Act of 2023''; to the Committee on Homeland Security and Governmental Affairs.

EC–3098. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 25–313, ''Parity in Workers' Compensation Recovery Temporary Amendment Act of 2023''; to the Committee on Homeland Security and Governmental Affairs.

EC–3099. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 25–314, ''Sexual Harassment Investigation Review Clarification Temporary Amendment Act of 2023''; to the Committee on Homeland Security and Governmental Affairs.

EC–3100. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 25–315, ''Clarification of UDC PR Harris Exclusive Use Repeal Temporary Amendment Act of 2023''; to the Committee on Homeland Security and Governmental Affairs.

EC–3101. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 25–316, ''DC Nursing Education Enhancement Program Temporary Amendment Act of 2023''; to the Committee on Homeland Security and Governmental Affairs.

EC–3102. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 25–318, ''11th Street Bridge Project DOEE Permit Temporary Act of 2023''; to the Committee on Homeland Security and Governmental Affairs.

EC–3103. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 25–306, ''Pathways to Behavioral Health Degrees Act of 2023''; to the Committee on Homeland Security and Governmental Affairs.

EC–3104. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 25–307, ''Edna Brown Coleman Way Designation Act of 2023''; to the Committee on Homeland Security and Governmental Affairs.

EC–3105. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 25–308, ''Julius Hobson Sr. Way Designation Act of 2023''; to the Committee on Homeland Security and Governmental Affairs.

EC–3106. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report

on D.C. Act 25–309, ''Dorothy Celeste Boulding Ferebee Way Designation Act of 2023''; to the Committee on Homeland Security and Governmental Affairs.

EC–3107. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 25–310, ''Immunization of School Students Amendment Act of 2023''; to the Committee on Homeland Security and Governmental Affairs.

EC–3108. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 25–311, ''Health Professional Licensing Boards Residency Requirement Amendment Act of 2023''; to the Committee on Homeland Security and Governmental Affairs.

EC–3109. A communication from the Chairman of the Surface Transportation Board, Department of Transportation, transmitting, pursuant to law, the Board's Performance and Accountability Report for fiscal year 2023; to the Committee on Homeland Security and Governmental Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. PETERS, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute:

S. 2414. A bill to require agencies with working dog programs to implement the recommendations of the Government Accountability Office relating to the health and welfare of working dogs, and for other purposes (Rept. No. 118–137).

By Ms. CANTWELL, from the Committee on Commerce, Science, and Transportation:

Report to accompany S. 1284, a bill to improve forecasting and understanding of tornadoes and other hazardous weather, and for other purposes (Rept. No. 118–138).

By Ms. CANTWELL, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 66. A bill to establish a task force on improvements for notices to air missions, and for other purposes.

S. 127. A bill to prevent unfair and deceptive acts or practices and the dissemination of false information related to pharmacy benefit management services for prescription drugs, and for other purposes.

S. 576. A bill to enhance safety requirements for trains transporting hazardous materials, and for other purposes.

S. 1153. A bill to require the Secretary of Commerce to establish the National Manufacturing Advisory Council within the Department of Commerce, and for other purposes.

S. 1280. A bill to require coordinated National Institute of Standards and Technology science and research activities regarding illicit drugs containing xylazine, novel synthetic opioids, and other substances of concern, and for other purposes.

S. 1409. A bill to protect the safety of children on the internet.

S. 1418. A bill to amend the Children's Online Privacy Protection Act of 1998 to strengthen protections relating to the online collection, use, and disclosure of personal information of children and teens, and for other purposes.

S. 1421. A bill to require origin and location disclosure for new products of foreign origin offered for sale on the internet.

S. 2116. A bill to require the Secretary of Commerce to produce a report that provides recommendations to improve the effectiveness, efficiency, and impact of Department of Commerce programs related to supply chain resilience and manufacturing and industrial innovation, and for other purposes.

S. 2201. A bill to increase knowledge and awareness of best practices to reduce cybersecurity risks in the United States.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. REED for the Committee on Armed Services.

Navy nomination of Capt. Eric J. Anduze, to be Rear Admiral (lower half).

Navy nomination of Rear Adm. John B. Skillman, to be Vice Admiral.

Army nomination of Col. Erik A. Fessenden, to be Brigadier General.

*Army nomination of Maj. Gen. Christopher C. LaNeve, to be Lieutenant General.

Mr. REED. Mr. President, for the Committee on Armed Services I report favorably the following nomination lists which were printed in the RECORDs on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

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

Air Force nominations beginning with Matthew T. Ballanco and ending with Jason L. Tucker, which nominations were received by the Senate and appeared in the Congressional Record on July 25, 2023.

Air Force nominations beginning with Adam D. Aasen and ending with Sarah J. Zimmerman, which nominations were received by the Senate and appeared in the Congressional Record on July 25, 2023.

Air Force nominations beginning with Aaron C. Baum and ending with Mary C. Yelnicker, which nominations were received by the Senate and appeared in the Congressional Record on July 25, 2023.

Air Force nominations beginning with Michael A. Arguello and ending with Michael D. Zollars, which nominations were received by the Senate and appeared in the Congressional Record on July 25, 2023.

Air Force nominations beginning with Josh R. Aldred and ending with Richard W. Zeigler, which nominations were received by the Senate and appeared in the Congressional Record on July 25, 2023.

Air Force nominations beginning with William John Ackman and ending with Todd M. Zielinski, which nominations were received by the Senate and appeared in the Congressional Record on July 25, 2023.

Air Force nominations beginning with Saunya N. Bright and ending with Robbie L. Wheeler, which nominations were received by the Senate and appeared in the Congressional Record on October 19, 2023.

Air Force nominations beginning with Kasumi Erica Anderson and ending with Esther K. Zvol, which nominations were received by the Senate and appeared in the Congressional Record on October 19, 2023.

Air Force nomination of Jaymi F. Jeffery, to be Major.

Air Force nomination of Christopher M. Lutz, to be Colonel.

Air Force nomination of Daniel E. Finkelstein, to be Colonel.

Army nomination of Michael W. Lawson, to be Colonel.

Army nominations beginning with Jason E. Cosby and ending with Brian Mathison, which nominations were received by the Senate and appeared in the Congressional Record on November 27, 2023.

Army nomination of Roberto Candelaria-Santiago, to be Lieutenant Colonel.

Army nomination of James M. Degroot, to be Major.

Army nomination of Victoria K. Somnuk, to be Colonel.

Army nominations beginning with Trevor I. Barna and ending with 0003391400, which nominations were received by the Senate and appeared in the Congressional Record on December 4, 2023.

Army nominations beginning with Brian D. Andes and ending with 0003089250, which nominations were received by the Senate and appeared in the Congressional Record on December 4, 2023.

Army nomination of Bryce R. Greenwood, to be Major.

Army nomination of Caleb J. Porter, to be Major.

Army nominations beginning with Horace Allen III and ending with Thomas R. Weber, which nominations were received by the Senate and appeared in the Congressional Record on December 4, 2023.

Army nominations beginning with Andrew S. Berryman and ending with Daniel J. Mcauliffe, which nominations were received by the Senate and appeared in the Congressional Record on December 4, 2023.

Army nomination of Timothy P. Plackett, to be Colonel.

Army nomination of Jacob B. Saunders, to be Lieutenant Colonel.

Army nomination of Mark C. Mullinax, to be Colonel.

Army nomination of Lasaundra C. Estelle, to be Colonel.

Army nomination of Paul B. Fowler, to be Colonel.

Army nomination of Pace E. Brown, to be Major.

Marine Corps nominations beginning with Erick R. Abercrombie and ending with Angela S. Zunic, which nominations were received by the Senate and appeared in the Congressional Record on December 4, 2023.

Marine Corps nominations beginning with Jonathan K. Acker and ending with Edward S. Zur, which nominations were received by the Senate and appeared in the Congressional Record on December 4, 2023.

Navy nomination of Devere J. Crooks, to be Captain.

Navy nomination of Sarah A. Sherwood, to be Captain.

Navy nomination of Wilfredo Morales, to be Captain.

Navy nomination of Dary R. Sampy, Jr., to be Lieutenant Commander.

Space Force nomination of Robin J. Glebes, to be Lieutenant Colonel.

Space Force nomination of Maxwell E. Fuldauer, to be Colonel.

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

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Ms. ERNST:

S. 3480. A bill to address Federal employees and contractors who commit sexual misconduct; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. CAPITO (for herself and Ms. KLOBUCHAR):

S. 3481. A bill to amend title XVIII of the Social Security Act to expand and expedite access to cardiac rehabilitation programs and pulmonary rehabilitation programs under the Medicare program, and for other purposes; to the Committee on Finance.

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

S. 3482. A bill to establish a multi-stakeholder advisory committee tasked with providing detailed recommendations to address challenges to transmitting geolocation information with calls to the 988 Suicide and Crisis Lifeline, and for other purposes; to the Committee on Commerce, Science, and Transportation.

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

S. 3483. A bill to increase the potential penalty for property damage at the National Gallery of Art and certain other buildings and grounds; to the Committee on Rules and Administration.

By Ms. STABENOW (for herself, Mr. BROWN, and Mr. PETERS):

S. 3484. A bill to establish the Great Lakes Mass Marking Program, and for other purposes; to the Committee on Environment and Public Works.

By Mr. RUBIO:

S. 3485. A bill to amend title IV of the Social Security Act to establish requirements for biological fathers to pay child support for medical expenses incurred during pregnancy and delivery; to the Committee on Finance.

By Mr. RUBIO:

S. 3486. A bill to amend the Internal Revenue Code of 1986 to disallow companies associated with foreign adversaries from receiving the advanced manufacturing production credit; to the Committee on Finance.

By Mr. BENNET (for himself, Mr. CASSIDY, Ms. COLLINS, Mr. COONS, Ms. CORTEZ MASTO, and Mr. WICKER):

S. 3487. A bill to amend the Internal Revenue Code of 1986 to provide and exclusion from gross income for AmeriCorps educational awards; to the Committee on Finance.

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

S. 3488. A bill to amend title 51, United States Code, to provide for a NASA public-private talent program, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mrs. SHAHEEN (for herself, Mr. HEINRICH, Mr. WYDEN, and Mr. WELCH):

S. 3489. A bill to amend the Consolidated Farm and Rural Development Act to establish an energy circuit rider program to disseminate technical and other assistance to rural communities to support energy efficiency and clean energy projects that save energy and reduce greenhouse gas emissions; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. TUBERVILLE (for himself, Mr. TILLIS, and Mrs. BLACKBURN):

S. 3490. A bill to prohibit the Secretary of Veterans Affairs from providing health care to, or engaging in claims processing for health care for, any individual unlawfully present in the United States who is not eligible for health care under the laws administered by the Secretary; to the Committee on Veterans' Affairs.

By Mr. SCHMITT (for himself, Mr. DAINES, Mr. HAGERTY, Mr. SCOTT of South Carolina, Mr. MARSHALL, and Mr. LEE):

S. 3491. A bill to prohibit United States contributions to the Intergovernmental Panel on Climate Change, the United Nations Framework Convention on Climate Change, and the Green Climate Fund; to the Committee on Foreign Relations.

By Mr. TILLIS (for himself and Mrs. BLACKBURN):

S. 3492. A bill to amend title 18, United States Code, to establish a criminal penalty for interfering with commerce by blocking public roads; to the Committee on the Judiciary.

By Mr. HAGERTY (for himself, Mr. CRUZ, and Mr. BRAUN):

S. 3493. A bill to require certification prior to obligation of funds for United Nations Relief and Works Agency, and for other purposes; to the Committee on Foreign Relations.

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

S. 3494. A bill to amend the Sarbanes-Oxley Act of 2002 to provide for disclosure regarding foreign jurisdictions that hinder inspections, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. CORNYN (for himself, Mr. WARNER, Ms. COLLINS, Mr. LANKFORD, Mr. MORAN, and Mr. KING):

S. 3495. A bill to improve the classification and declassification of national security information, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. BRAUN (for himself, Mr. CASEY, Mr. RISCH, Mr. LEE, Mr. MARSHALL, Mr. CRUZ, Mr. MULLIN, Mr. MORAN, Mr. CRAPO, Mr. SCHMITT, Mr. LANKFORD, Mr. FETTERMAN, and Mr. BROWN):

S. 3496. A bill to amend the Energy Policy Act of 2005 to address measuring methane emissions, and for other purposes; to the Committee on Energy and Natural Resources.

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

S. 3497. A bill to amend the Farm Credit Act of 1971 to modify rural housing financing under that Act; to the Committee on Agriculture, Nutrition, and Forestry.

By Ms. CORTEZ MASTO (for herself and Mr. CASSIDY):

S. 3498. A bill to amend title XVIII of the Social Security Act to provide for coverage of peer support services under the Medicare program; to the Committee on Finance.

By Mr. CORNYN (for himself, Mrs. SHAHEEN, and Mr. RUBIO):

S. 3499. A bill to provide emergency acquisition authority for purposes of replenishing United States stockpiles; to the Committee on Armed Services.

By Mr. MARKEY (for himself, Mr. BRAUN, Mr. SANDERS, Mr. WYDEN, Mr. MERKLEY, and Ms. WARREN):

S. 3500. A bill to amend the Food, Agriculture, Conservation, and Trade Act of 1990 to provide for high-priority research and extension grants for natural climate solutions, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

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

S. 3501. A bill to provide greater support for grandfamilies and older caregiver relatives; to the Committee on Finance.

By Mr. REED (for himself and Mr. HAGERTY):

S. 3502. A bill to amend the Fair Credit Reporting Act to prevent consumer reporting agencies from furnishing consumer reports under certain circumstances, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. WHITEHOUSE (for himself, Mr. BARRASSO, Mr. WELCH, Mr. TILLIS, Mr. CASSIDY, Mr. THUNE, and Mrs. BLACKBURN):

S. 3503. A bill to direct the Secretary of Health and Human Services to revise certain regulations in relation to the Medicare shared savings program and other alternative payment arrangements to encourage participation in such program, and for other purposes; to the Committee on Finance.

By Mr. PETERS:

S. 3504. A bill to establish a course of education and pilot program on authentication of digital content provenance for certain Department of Defense media content, and for other purposes; to the Committee on Armed Services.

By Mr. PETERS:

S. 3505. A bill to amend title 10, United States Code, to authorize the ordering of units of the Selected Reserve to active duty to respond to significant cyber incidents, and for other purposes; to the Committee on Armed Services.

By Mr. PETERS:

S. 3506. A bill to extend and modify training for Eastern European national security forces in the course of multilateral exercises; to the Committee on Foreign Relations.

By Mr. VANCE (for himself and Mr. BROWN):

S. 3507. A bill to designate the facility of the United States Postal Service located at 12804 Chillicothe Road in Chesterland, Ohio, as the ''Sgt. Wolfgang Kyle Weninger Post Office Building''; to the Committee on Homeland Security and Governmental Affairs.

By Mr. PETERS:

S. 3508. A bill to provide for parity among the Vice Chiefs, and for other purposes; to the Committee on Armed Services.

By Mr. BROWN (for himself, Mr. KING, Ms. BALDWIN, Mr. CASEY, Ms. SMITH, Mr. BLUMENTHAL, Mr. VAN HOLLEN, Mr. MERKLEY, Mr. WHITEHOUSE, Ms. CORTEZ MASTO, Mr. KAINE, Ms. KLOBUCHAR, and Mr. BOOKER):

S. 3509. A bill to amend title XXVII of the Public Health Service Act to provide for a special enrollment period for pregnant persons, and for other purposes; to the Committee on Finance.

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

S. 3510. A bill to require the priority and consideration of using native plants in Federal projects, and for other purposes; to the Committee on Environment and Public Works.

By Mr. BLUMENTHAL (for himself, Mr. SCHUMER, and Mr. LUJÁN):

S. 3511. A bill to prohibit the circumvention of control measures used by internet retailers to ensure equitable consumer access to products, and for other purposes; to the Committee on Commerce, Science, and Transportation.

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

S. 3512. A bill to amend the Federal Food, Drug, and Cosmetic Act to strengthen requirements related to nutrient information on food labels; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HOEVEN (for himself and Mrs. SHAHEEN):

S. 3513. A bill to require the Secretary of the Air Force to establish a permanent program to provide tuition assistance to members of the Air National Guard; to the Committee on Armed Services.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mrs. HYDE-SMITH (for herself and Mr. PETERS):

S. Res. 496. A resolution designating September 2023 as ''National Cholesterol Education Month'' and September 30, 2023, as LDL–C Awareness Day; to the Committee on the Judiciary.

By Mr. COTTON (for himself, Mr. HAGERTY, Mr. BARRASSO, Mrs. BRITT, Mr. SCOTT of Florida, Mr. RICKETTS, Mr. RUBIO, Mr. KENNEDY, Mr. BOOZMAN, Mr. BUDD, Mrs. BLACKBURN, Mr. SULLIVAN, Mr. CRAMER, Mr. THUNE, Mrs. FISCHER, Mr. GRAHAM, Mr. TUBERVILLE, and Mr. LANKFORD):

S. Res. 497. A resolution to express the sense of the Senate that the slogan ''From the river to the sea, Palestine will be free'' and its derivations are antisemitic and a call for genocide and the destruction of the Jewish state; to the Committee on the Judiciary.

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

S. Res. 498. A resolution congratulating Jayden Daniels for winning the 2023 Heisman Memorial Trophy; to the Committee on Commerce, Science, and Transportation.

By Ms. SINEMA (for herself, Mr. KELLY, Mrs. BLACKBURN, Mrs. CAPITO, Mrs. FISCHER, Mrs. SHAHEEN, Ms. KLOBUCHAR, Ms. BUTLER, Ms. BALDWIN, Ms. CORTEZ MASTO, Ms. COLLINS, Ms. ERNST, Mrs. BRITT, Ms. SMITH, and Mrs. HYDE-SMITH):

S. Res. 499. A resolution acknowledging the lifetime of service of Sandra Day O'Connor to the United States as a successful Arizona State Senator, trailblazer, expert collaborator, educational advocate, and one of the great Justices of the Supreme Court of the United States; considered and agreed to.

By Mr. WARNOCK (for himself, Mr. MARSHALL, Mr. BARRASSO, Mr. BOOKER, Mr. BRAUN, Mrs. CAPITO, Ms. COLLINS, Mr. COONS, Ms. CORTEZ MASTO, Mr. CRAPO, Mr. DURBIN, Mr. GRASSLEY, Ms. HIRONO, Mr. LUJÁN, Mr. MENENDEZ, Mr. MURPHY, Mr. PADILLA, Mr. RISCH, Ms. ROSEN, Mr. VANCE, and Mr. WHITEHOUSE):

S. Res. 500. A resolution designating November 8, 2023, as ''National First-Generation College Celebration Day''; considered and agreed to.

By Mr. SCHUMER (for himself and Mr. MCCONNELL):

S. Res. 501. A resolution to authorize testimony and representation in United States v. Nformangum; considered and agreed to.

By Mr. SCHUMER (for himself and Mr. MCCONNELL):

S. Res. 502. A resolution to authorize testimony and representation in United States v. Antonio; considered and agreed to.

ADDITIONAL COSPONSORS

S. 173

At the request of Mr. BLUMENTHAL, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 173, a bill to amend chapter 44 of title 18, United States Code, to require the safe storage of firearms, and for other purposes.

S. 533

At the request of Mr. CASEY, the names of the Senator from Tennessee (Mrs. BLACKBURN) and the Senator from Maryland (Mr. VAN HOLLEN) were added as cosponsors of S. 533, a bill to assist employers providing employment under special certificates issued under section 14(c) of the Fair Labor Standards Act of 1938 in transforming their business and program models to models that support people with disabilities through competitive integrated employment, to phase out the use of such special certificates, and for other purposes.

S. 722

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

S. 1058

At the request of Mr. REED, the name of the Senator from California (Ms. BUTLER) was added as a cosponsor of S. 1058, a bill to protect airline crew members, security screening personnel, and passengers by banning abusive passengers from commercial aircraft flights, and for other purposes.

S. 1355

At the request of Mr. BENNET, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 1355, a bill to establish a program to develop antimicrobial innovations targeting the most challenging pathogens and most threatening infections, and for other purposes.

S. 1917

At the request of Mr. PADILLA, the name of the Senator from California (Ms. BUTLER) was added as a cosponsor of S. 1917, a bill to amend the Clean Air Act to provide for the establishment of standards to limit the carbon intensity of the fuel used by certain vessels, and for other purposes.

S. 1960

At the request of Mrs. SHAHEEN, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 1960, a bill to impose sanctions with respect to foreign persons responsible for violations of the human rights of lesbian, gay, bisexual, transgender, and intersex (LGBTI) individuals, and for other purposes.

S. 2048

At the request of Mr. BLUMENTHAL, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 2048, a bill to repeal the Protection of Lawful Commerce in Arms Act, and provide for the discoverability and admissibility of gun trace information in civil proceedings.

S. 2072

At the request of Mr. PADILLA, the name of the Senator from California (Ms. BUTLER) was added as a cosponsor of S. 2072, a bill to establish a pilot program to provide mental health checkups for students at schools operated by the Department of Defense Education Activity, and for other purposes.

S. 2119

At the request of Mr. MENENDEZ, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 2119, a bill to reauthorize the Firefighter Cancer Registry Act of 2018.

S. 2245

At the request of Mr. RUBIO, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 2245, a bill to require a review of women and lung cancer, and for other purposes.

S. 2327

At the request of Ms. KLOBUCHAR, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 2327, a bill to provide support for nationals of Afghanistan who supported the United States mission in Afghanistan, adequate vetting for parolees from Afghanistan, adjustment of status for eligible individuals, and special immigrant status for at-risk Afghan allies and relatives of certain members of the Armed Forces, and for other purposes.

S. 2444

At the request of Mrs. FISCHER, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. 2444, a bill to establish an interactive online dashboard to improve public access to information about grant funding related to mental health and substance use disorder programs.

S. 2569

At the request of Mr. CORNYN, the name of the Senator from Maryland (Mr. VAN HOLLEN) 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. 2825

At the request of Mr. CORNYN, the name of the Senator from Arkansas (Mr. COTTON) was added as a cosponsor of S. 2825, a bill to award a Congressional Gold Medal to the United States Army Dustoff crews of the Vietnam War, collectively, in recognition of their extraordinary heroism and lifesaving actions in Vietnam.

S. 2895

At the request of Mr. CASEY, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 2895, a bill to amend the Internal Revenue Code of 1986 to provide for a refundable adoption tax credit.

S. 2926

At the request of Mr. DURBIN, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 2926, a bill to prohibit the importation, sale, manufacture, transfer, or possession of .50 caliber rifles, and for other purposes.

S. 2985

At the request of Ms. WARREN, the name of the Senator from California (Ms. BUTLER) was added as a cosponsor of S. 2985, a bill to expand youth access to voting, and for other purposes.

S. 3027

At the request of Mr. CARPER, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 3027, a bill to amend the Internal Revenue Code of 1986 to extend the energy credit for qualified fuel cell property.

S. 3065

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

S. 3141

At the request of Mr. SCOTT of South Carolina, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 3141, a bill to provide for the consideration of a definition of antisemitism set forth by the International Holocaust Remembrance Alliance for the enforcement of Federal antidiscrimination laws concerning education programs or activities, and for other purposes.

S. 3227

At the request of Mr. THUNE, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. 3227, a bill to amend the Internal Revenue Code of 1986 to provide an alternative manner of furnishing certain health insurance coverage statements to individuals.

S. 3356

At the request of Mr. DURBIN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 3356, a bill to amend title 18, United States Code, to modify the role and duties of United States Postal Service police officers, and for other purposes.

S. 3423

At the request of Mr. WELCH, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 3423, a bill to guarantee the right to vote for all citizens regardless of conviction of a criminal offense, and for other purposes.

S. 3456

At the request of Mr. ROUNDS, the names of the Senator from Maryland (Mr. VAN HOLLEN) and the Senator from Nevada (Ms. ROSEN) 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.

At the request of Mr. WARNER, his name was added as a cosponsor of S. 3456, supra.

S. 3462

At the request of Mr. MARSHALL, the name of the Senator from Tennessee (Mrs. BLACKBURN) was added as a cosponsor of S. 3462, a bill to require the Secretary of Health and Human Services to issue draft guidance to address non-addictive analgesics for chronic pain.

S.J. RES. 49

At the request of Mr. CASSIDY, the name of the Senator from Oklahoma (Mr. MULLIN) 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. CON. RES. 8

At the request of Ms. STABENOW, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. Con. Res. 8, a concurrent resolution expressing the sense of Congress that tax-exempt fraternal benefit societies have historically provided and continue to provide critical benefits to the people and communities of the United States.

S. RES. 320

At the request of Mr. PADILLA, the name of the Senator from California (Ms. BUTLER) was added as a cosponsor of S. Res. 320, a resolution calling for the immediate release of Eyvin Hernandez, a United States citizen and Los Angeles County public defender, who was wrongfully detained by the Venezuelan regime in March 2022.

S. RES. 333

At the request of Mr. DURBIN, the name of the Senator from Georgia (Mr. OSSOFF) 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.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. REED (for himself and Mr. HAGERTY):

S. 3502. A bill to amend the Fair Credit Reporting Act to prevent consumer reporting agencies from furnishing consumer reports under certain circumstances, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. REED. Madam President, I am pleased to introduce the homebuyers Privacy Protection Act with the Senator from Tennessee, Mr. HAGERTY. This bipartisan legislation restricts the use of so-called mortgage ''trigger leads'' and gives prospective home buyers control over their personal credit information.

Trigger leads are essentially tips based on information the major credit reporting bureaus sell to mortgage brokers and lenders when the bureaus learn that a consumer has applied for a mortgage with another lender. Each trigger lead they sell can generate dozens of calls and solicitations to the consumer from lenders, ostensibly to provide the consumer with better offers. In fact, one home buyer reported to the Consumer Financial Protection Bureau that they received over 100 calls from other lenders within 2 days of applying for a mortgage. Prospective home buyers who are bombarded by these kind of solicitations typically have no idea their information was sold without their affirmative consent.

Buying a home is often the most consequential financial decision a family will make. Getting ''spammed'' with additional offers, after a family has already shopped for a mortgage and chosen a lender, makes this already stressful process even more stressful. It can be very difficult, if not impossible, for a family to sift through dozens of offers over a few days and actually receive better credit. Consumers who are subjected to a deluge of solicitations as the result of a trigger lead are justified in feeling that their privacy has been invaded.

Many reputable mortgage companies see it the same way. They support curtailing trigger leads since prospective home buyers often blame their lender for selling off their personal information even though it is the credit bureaus that are providing this information.

Unrelenting, aggressive solicitations are more than just a nuisance. Indeed, some companies that buy trigger leads may not use them responsibly and may have poor track records of compliance. In 2018, the Washington Post reported that some mortgage lenders had used trigger leads to misrepresent themselves in calls by suggesting that they are underwriters for the consumer's current lender or by implying that they are calling from a government agency. According to reporting in the Chicago Tribune, unsuspecting home buyers are at risk of inadvertently handing over sensitive personal information, exposing themselves to identity theft.

The current system leaves consumers without control of their personal information when they apply for a mortgage. Our bill will fix the current system by significantly restricting the circumstances in which the credit bureaus can sell home buyers' personal information to generate trigger leads. The credit bureaus would be permitted to sell this information only in the limited circumstances when the consumer already has a significant financial relationship with the lending institution seeking the information or when the prospective home buyer has provided affirmative consent to share this information broadly with other lenders.

The Homebuyers Privacy Protection Act will go a long way towards securing consumers' personal information and will provide much needed relief from the seemingly never-ending solicitations prospective home buyers receive during an already stressful time.

I thank the broad coalition of consumer advocacy groups and trade associations for their support, including the Mortgage Bankers Association, the National Consumer Law Center on behalf of its low-income clients, the National Association of Mortgage Brokers, the Community Home Lenders of

America, U.S. PIRG, the Association of Independent Mortgage Experts, the Broker Action Coalition, the American Bankers Association, and the Independent Community Bankers of America.

I urge my colleagues to join Senator HAGERTY and me in supporting this commonsense, bipartisan bill.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 496—DESIGNATING SEPTEMBER 2023 AS ''NATIONAL CHOLESTEROL EDUCATION MONTH'' AND SEPTEMBER 30, 2023, AS LDL–C AWARENESS DAY

Mrs. HYDE–SMITH (for herself and Mr. PETERS) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 496

Whereas cardiovascular disease is the leading cause of death for men and women;

Whereas projected rates of cardiovascular disease are expected to increase significantly in the United States by 2060;

Whereas, compared to urban areas, rural areas in the United States have higher death rates for cardiovascular disease and stroke, and a 40 percent higher prevalence of cardiovascular disease;

Whereas risk factors contributing to cardiovascular disease and poor health outcomes include elevated low density lipoprotein cholesterol (referred to in this preamble as ''LDL–C''), high levels of lipoprotein(a) cholesterol, hypertension, obesity, low awareness of personal risk factors, genetics, geographic location, and inequitable access to care;

Whereas lipoprotein(a) cholesterol is predominantly genetically inherited and can build up in the walls of blood vessels creating cholesterol deposits, or plaques, and lead to atherosclerotic cardiovascular disease;

Whereas LDL–C is a modifiable risk factor for cardiovascular disease and having lower LDL–C is associated with a reduced risk of heart attack and stroke;

Whereas more than 25.5 percent of adults in the United States have high LDL–C;

Whereas more than 200 studies with more than 2,000,000 patients have broadly established that elevated LDL–C unequivocally causes atherosclerotic cardiovascular disease;

Whereas atherosclerotic cardiovascular disease is the build-up of cholesterol plaque within the walls of arteries and includes acute coronary syndrome, peripheral arterial disease, and events such as heart attacks and strokes;

Whereas the resources needed to bend the curve on cardiovascular disease exist, yet 71 percent of hypercholesterolemia patients at high risk of a cardiovascular event never achieve recommended LDL–C treatment guideline thresholds;

Whereas only 33 percent of individuals with atherosclerotic cardiovascular disease who are taking statins, a guideline recommended lipid lowering therapy, actually achieve LDL–C goals;

Whereas, although clinical guidelines recommend that a patient hospitalized for heart attack receive an LDL–C test in the 90 days following discharge from a hospital, only 27 percent of patients receive such test;

Whereas African-American adults are less likely to receive an LDL–C test in the 90 days following discharge from a hospital, despite having a higher prevalence of cardiovascular disease;

Whereas significant gaps in care lead to subsequent cardiovascular events;

Whereas the Million Hearts program seeks to improve access to and quality of care to reduce heart disease, stroke, and death; and

Whereas September is recognized as National Cholesterol Education Month to raise awareness of cardiovascular disease and the importance of knowing one's LDL–C number: Now, therefore, be it

Resolved, That the Senate—

(1) encourages all individuals in the United States to know their low density lipoprotein cholesterol (referred to in this resolution as ''LDL–C'') number;

(2) designates September 2023, as ''National Cholesterol Education Month'';

(3) designates September 30, 2023, as ''LDL–C Awareness Day''; and

(4) recognizes the urgent need for screening and treating of elevated LDL–C to reduce the risk of cardiovascular disease and cardiovascular events, including heart attacks and strokes.

SENATE RESOLUTION 497—TO EXPRESS THE SENSE OF THE SENATE THAT THE SLOGAN ''FROM THE RIVER TO THE SEA, PALESTINE WILL BE FREE'' AND ITS DERIVATIONS ARE ANTISEMITIC AND A CALL FOR GENOCIDE AND THE DESTRUCTION OF THE JEWISH STATE

Mr. COTTON (for himself, Mr. HAGERTY, Mr. BARRASSO, Mrs. BRITT, Mr. SCOTT of Florida, Mr. RICKETTS, Mr. RUBIO, Mr. KENNEDY, Mr. BOOZMAN, Mr. BUDD, Mrs. BLACKBURN, Mr. SULLIVAN, Mr. CRAMER, Mr. THUNE, Mrs. FISCHER, Mr. GRAHAM, Mr. TUBERVILLE, and Mr. LANKFORD) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 497

Resolved,

SECTION 1. SENSE OF THE SENATE REGARDING THE MEANING OF THE SLOGAN "FROM THE RIVER TO THE SEA, PALESTINE WILL BE FREE".

It is the sense of the Senate that the slogan ''From the river to the sea, Palestine will be free'' and its derivations are antisemitic and a call for genocide and the destruction of the Jewish state.

SENATE RESOLUTION 498—CONGRATULATING JAYDEN DANIELS FOR WINNING THE 2023 HEISMAN MEMORIAL TROPHY

Mr. CASSIDY (for himself and Mr. KENNEDY) submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. RES. 498

Whereas, on Saturday, December 9, 2023, Louisiana State University (referred to in this preamble as ''LSU'') quarterback Jayden Daniels was awarded the 89th annual Heisman Memorial Trophy for being the most outstanding collegiate football player in the United States;

Whereas Daniels led the 2023 LSU football team to a regular season record of 9 wins and 3 losses;

Whereas Daniels was assisted by the leadership of the LSU football coaching staff, including head coach Brian Kelly, offensive coordinator Mike Denbrock, quarterbacks coach Joe Sloan, and others;

Whereas, notwithstanding a bowl game, the 2023–2024 collegiate football season stats of Daniels are—

(1) 3,812 passing yards;

(2) 1,134 rushing yards; and

(3) 50 touchdowns;

Whereas Daniels is the only player in Football Bowl Subdivision (referred to in this preamble as ''FBS'') history to achieve career totals over 12,000 passing yards and 3,000 rushing yards;

Whereas Daniels is the only player in FBS history to rush for 200 yards and pass for 350 yards in a single game;

Whereas Daniels is 1 of 2 players in LSU history to have 3 games with 500 yards of total offense in a season;

Whereas Daniels is 1 of 2 players in Southeastern Conference history to pass for 3,500 yards and rush for 1,000 yards in a season;

Whereas Daniels is 1 of 5 players in Southeastern Conference history to be responsible for at least 50 touchdowns in a season, joining Joe Burrow, Tim Tebow, Cam Newton, and Bryce Young;

Whereas Daniels was born on December 18, 2000, in San Bernardino, California, and was a 4-star recruit to Arizona State University out of Cajon High School; and

Whereas Jayden Daniels has made the entire State of Louisiana proud: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates Jayden Daniels as the recipient of the 2023 Heisman Memorial Trophy;

(2) recognizes the many achievements of Jayden Daniels, his fellow players, the coaches, and the staff of the Louisiana State University football team;

(3) recognizes the fans and the entire State of Louisiana for their dedication and support; and

(4) respectfully requests that the Secretary of the Senate transmit an enrolled copy of this resolution to—

(A) Jayden Daniels;

(B) the head coach of the Louisiana State University football team, Brian Kelly; and

(C) the president of Louisiana State University, William F. Tate IV.

SENATE RESOLUTION 499—ACKNOWLEDGING THE LIFETIME OF SERVICE OF SANDRA DAY O'CONNOR TO THE UNITED STATES AS A SUCCESSFUL ARIZONA STATE SENATOR, TRAILBLAZER, EXPERT COLLABORATOR, EDUCATIONAL ADVOCATE, AND ONE OF THE GREAT JUSTICES OF THE SUPREME COURT OF THE UNITED STATES

Ms. SINEMA (for herself, Mr. KELLY, Mrs. BLACKBURN, Mrs. CAPITO, Mrs. FISCHER, Mrs. SHAHEEN, Ms. KLOBUCHAR, Ms. BUTLER, Ms. BALDWIN, Ms. CORTEZ MASTO, Ms. COLLINS, Ms. ERNST, Mrs. BRITT, Ms. SMITH, and Mrs. HYDE-SMITH) submitted the following resolution; which was considered and agreed to:

S. RES. 499

Whereas Sandra Day O'Connor was born in 1930 in El Paso, Texas, and spent her childhood on her family's isolated Arizona cattle ranch;

Whereas O'Connor lived with her grandmother in El Paso during the school year, away from her home and parents;

Whereas O'Connor matriculated to Stanford University at the age of 16 and combined her undergraduate and law school curricula, graduating with a bachelor's degree in economics and a law degree in just 6 years;

Whereas O'Connor graduated third in her law school class, behind William Rehnquist, her future colleague on the Supreme Court of the United States (referred to in this preamble as the ''Supreme Court'');

Whereas, despite her qualifications, O'Connor could not find work as an attorney because of bias against women in the law;

Whereas O'Connor ended up negotiating for an unpaid position in the San Mateo County District Attorney's Office at a shared desk, while her husband, John, finished at Stanford Law School 1 year later;

Whereas O'Connor traveled to Frankfurt, Germany, in 1954 with her husband John, who had joined the United States Army Judge Advocate General's Corps, and she was able to find work as a civilian attorney with the United States Army Quartermaster Corps;

Whereas, in 1957, O'Connor returned to Arizona and still could not find work with a traditional law firm due to her gender, so she ''hung out a shingle'' as a sole practitioner;

Whereas, in 1965, O'Connor was hired as an Assistant Attorney General for the State of Arizona;

Whereas O'Connor was active in Republican Party politics and was well-received for her work at the Arizona Attorney General's Office, which resulted in her appointment to an Arizona State Senate seat in 1969 when the incumbent, also a woman, was appointed to a Federal position and vacated the office;

Whereas, in 1970, O'Connor was elected to the Arizona State Senate and served 2 consecutive terms;

Whereas, in 1972, O'Connor was selected as Majority Leader of the Arizona State Senate, the first time a woman held such a position in any State;

Whereas, in 1974, O'Connor was elected as a trial court judge and was later appointed to the Arizona Court of Appeals in 1979;

Whereas, on August 19, 1981, President Ronald Reagan nominated O'Connor to be an Associate Justice of the Supreme Court to fill the seat vacated by Associate Justice Potter Stewart;

Whereas, on September 21, 1981, the Senate confirmed O'Connor's nomination by a unanimous vote, making her the first woman to serve on the Supreme Court;

Whereas O'Connor established herself as a pragmatic, independent voice on the Supreme Court, casting decisive votes during a time when the Supreme Court was being asked to resolve politically charged issues;

Whereas O'Connor put a very public face on the role of the Supreme Court, domestically and around the world;

Whereas O'Connor became the Supreme Court's most prolific public speaker, traveling to all 50 States and to countless law schools, libraries, and public events to describe how the Supreme Court works and its role in our constitutional form of government;

Whereas O'Connor traveled worldwide as an ambassador for the rule of law and the independence of judiciaries everywhere;

Whereas, after 24 years on the Supreme Court, O'Connor announced her retirement to care for her beloved husband, who had Alzheimer's disease;

Whereas O'Connor began her retirement with 2 goals, which were to—

(1) convince more States to adopt merit selection of judges for filling vacancies in State courts; and

(2) educate the public on the importance of an independent judiciary;

Whereas O'Connor's judicial independence work led to her awareness of a national civics education deficit;

Whereas, in 2009, O'Connor created the free-to-use, ad-free platform iCivics.org to educate young citizens of the United States about civics and what it means to be a citizen;

Whereas iCivics.org grew to become the largest civics education platform in the United States, with over 7,000,000 students annually enrolling in the programs the platform offers;

Whereas the popularity of iCivics.org was due to its captivating online, interactive gaming approach;

Whereas iCivics.org played a crucial role in Educating for American Democracy, a Federally funded initiative to improve civics and history education, which released its reports in March 2021;

Whereas Sandra Day O'Connor was a beloved sister, wife, mother, and grandmother;

Whereas Sandra Day O'Connor was an icon, trailblazer, and dedicated public servant, who leaves behind a legacy that has inspired generations of women, including the 5 women justices who have followed in her footsteps on the Supreme Court; and

Whereas Sandra Day O'Connor will be remembered as a pioneer in the history of the United States and will always be revered as the first woman to serve on the Supreme Court: Now, therefore, be it

Resolved, That the Senate—

(1) extends heartfelt sympathies to the family and friends of Sandra Day O'Connor;

(2) respectfully requests that the Secretary of the Senate communicate this resolution to the House of Representatives and transmit an enrolled copy thereof to the family of Justice Sandra Day O'Connor; and

(3) acknowledges the lifetime of service of Sandra Day O'Connor, a successful Arizona State Senator, trailblazer, expert collaborator, educational advocate, and the first woman to serve on the Supreme Court.

SENATE RESOLUTION 500—DESIGNATING NOVEMBER 8, 2023, AS ''NATIONAL FIRST-GENERATION COLLEGE CELEBRATION DAY''

Mr. WARNOCK (for himself, Mr. MARSHALL, Mr. BARRASSO, Mr. BOOKER, Mr. BRAUN, Mrs. CAPITO, Ms. COLLINS, Mr. COONS, Ms. CORTEZ MASTO, Mr. CRAPO, Mr. DURBIN, Mr. GRASSLEY, Ms. HIRONO, Mr. LUJÁN, Mr. MENENDEZ, Mr. MURPHY, Mr. PADILLA, Mr. RISCH, Ms. ROSEN, Mr. VANCE, and Mr. WHITEHOUSE) submitted the following resolution; which was considered and agreed to:

S. RES. 500

Whereas a ''first-generation college student'' means an individual whose parents did not complete a baccalaureate degree, or in the case of any individual who regularly resided with and received support from only 1 parent, an individual whose parent did not complete a baccalaureate degree;

Whereas November 8 honors the anniversary of the signing of the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.) by President Lyndon B. Johnson on November 8, 1965;

Whereas the Higher Education Act of 1965 was focused on increasing postsecondary education access and success for students, particularly low-income and first-generation college students;

Whereas the Higher Education Act of 1965 helped usher in programs necessary for low-income, first-generation college students to access, remain in, and complete postsecondary education, including the Federal TRIO programs under chapter 1 of subpart 2 of part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070a–11 et seq.) and the Federal Pell Grant program under section 401 of the Higher Education Act of 1965 (20 U.S.C. 1070a);

Whereas the Federal TRIO programs are the primary national effort supporting underrepresented students in postsecondary education and are designed to identify individuals from low-income backgrounds that would be first-generation college students and prepare them for postsecondary education, provide them support services, and motivate and prepare them for doctoral programs;

Whereas the Federal Pell Grant program under section 401 of the Higher Education Act of 1965 (20 U.S.C. 1070a) is the primary Federal investment in financial aid for low-income college students and is used by students at institutions of higher education of their choice;

Whereas first-generation college students may face additional academic, financial, and social challenges that their peers do not face in pursuing higher education;

Whereas 56 percent of all current college students currently pursuing degrees are first-generation college students;

Whereas the Council for Opportunity in Education and the Center for First-generation Student Success jointly launched the inaugural First-Generation College Celebration in 2017; and

Whereas the First-Generation College Celebration has continued to grow, and institutions of higher education, corporations, nonprofit organizations, and elementary and secondary schools now celebrate November 8 as ''First-Generation College Celebration Day'': Now, therefore, be it

Resolved, That the Senate—

(1) designates November 8, 2023, as ''National First-Generation College Celebration Day''; and

(2) urges all people of the United States to—

(A) celebrate ''National First-Generation College Celebration Day'' throughout the United States;

(B) recognize the important role that first-generation college students play in helping to develop the future workforce; and

(C) celebrate the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.) and its programs that help underrepresented students access higher education.

SENATE RESOLUTION 501—TO AUTHORIZE TESTIMONY AND REPRESENTATION IN UNITED STATES V. NFORMANGUM

Mr. SCHUMER (for himself and Mr. MCCONNELL) submitting the following resolution; which was considered and agreed to:

S. RES. 501

Whereas, in the case of *United States v. Nformangum*, Cr. No. 22-367, pending in the United States District Court for the Southern District of Texas, the prosecution has requested the production of testimony from Amy English, Grant Murray, and Anthony Rodregous, employees of the Office of Senator Ted Cruz;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. §§ 288b(a) and 288c(a)(2), the Senate may direct its counsel to represent current and former officers and employees of the Senate with respect to any subpoena, order, or request for evidence relating to their official responsibilities;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial or administrative process, be taken from such control or possession but by permission of the Senate; and

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

Resolved, That Amy English, Grant Murray, and Anthony Rodregous, employees in the Office of Senator Ted Cruz, are authorized to provide relevant testimony in the case of *United States v. Nformangum*, except concerning matters for which a privilege should be asserted.

SEC. 2. The Senate Legal Counsel is authorized to represent Ms. English, Messrs. Murray, and Rodregous, and any current or former officer or employees of Senator Cruz's office, in connection with the production of evidence authorized in section one of this resolution.

SENATE RESOLUTION 502—TO AUTHORIZE TESTIMONY AND REPRESENTATION IN UNITED STATES V. ANTONIO

Mr. SCHUMER (for himself and Mr. MCCONNELL) submitting the following resolution; which was considered and agreed to:

S. RES. 502

Whereas, in the case of *United States v. Antonio*, Cr. No. 21–497, pending in the United States District Court for the District of Columbia, the prosecution has requested the production of testimony from Daniel Schwager, a former employee of the Office of the Secretary of the Senate;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. §§ 288b(a) and 288c(a)(2), the Senate may direct its counsel to represent current and former officers and employees of the Senate with respect to any subpoena, order, or request for evidence relating to their official responsibilities;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial or administrative process, be taken from such control or possession but by permission of the Senate; and

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

Resolved, That Daniel Schwager, a former employee of the Office of the Secretary of the Senate, is authorized to provide relevant testimony in the case of *United States v. Antonio*, except concerning matters for which a privilege should be asserted.

SEC. 2. The Senate Legal Counsel is authorized to represent Mr. Schwager, and any current or former officer or employee of the Secretary's office, in connection with the production of evidence authorized in section one of this resolution.

NOTICE OF INTENT TO OBJECT TO PROCEEDING

I, Senator CHUCK GRASSLEY intend to object to proceeding to S. 595, a bill to approve the settlement of water rights claims of the Pueblos of Acoma and Laguna in the Rio San José 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, dated December 13, 2023.

AUTHORITY FOR COMMITTEES TO MEET

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

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Wednesday, December 13, 2023, at 2:30 p.m., to conduct a subcommittee hearing.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Wednesday, December 13, 2023, at 10 a.m., to conduct a hearing on nominations.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Wednesday, December 13, 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 Wednesday, December 13, 2023, at 2:30 p.m., to conduct a closed briefing.

PRIVILEGES OF THE FLOOR

Ms. ROSEN. Madam President, I ask unanimous consent that Rebecca Modiano, my Navy legislative fellow, who has provided tremendous support to my office over the past year, be granted floor privileges for the remainder of the week.

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

Mr. TILLIS. Madam President, I ask unanimous consent that Adam Caldwell in my office be granted floor privileges until December 31, 2023.

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

Mr. MARKEY. Madam President, before I begin my remarks, I ask unanimous consent that the following legislative fellows in my office be granted the privileges of the floor for the remainder of the Congress: Oliver Stephenson, Alexandra Swanson, and Martin Wolf.

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

THE CALENDAR

Mr. SCHUMER. Madam President, I ask unanimous consent that the Senate proceed to the en bloc consideration of the following Senate bills: Calendar No. 173, Calendar No. 261, and Calendar No. 262.

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

Mr. SCHUMER. I ask unanimous consent that the committee-reported substitute amendments, where applicable, be agreed to; that the bills, as amended, if amended, be considered read a third time and passed; and that the motions to reconsider be considered made and laid upon the table, all en bloc.

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

SUPPORTING AND IMPROVING RURAL EMS NEEDS REAUTHORIZATION ACT

The Senate proceeded to consider the bill (S. 265) to reauthorize the rural emergency medical service training and equipment assistance program, and for other purposes, which had been reported from the Committee on Health, Education, Labor, and Pensions with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Supporting and Improving Rural EMS Needs Reauthorization Act'' or the ''SIREN Reauthorization Act''.

SEC. 2. RURAL EMERGENCY MEDICAL SERVICE TRAINING AND EQUIPMENT ASSISTANCE PROGRAM.

Section 330J of the Public Health Service Act (42 U.S.C. 254c–15) is amended—

(1) in subsection (a), by striking ''the Administrator of the Health Resources and Services Administration (referred to in this section as the 'Secretary')'' and inserting ''the Assistant Secretary,'';

(2) in subsection (c)—

(A) in paragraph (1)—

(i) in subparagraph (C), by striking ''; and'' and inserting a semicolon; and

(ii) by adding at the end the following:

''(E) ensure emergency medical services personnel are trained on mental health and substance use disorders and care for individuals with such disorders in emergency situations; and''; and

(B) in paragraph (2)—

(i) in subparagraph (B), by striking ''; or'' and inserting a semicolon;

(ii) in subparagraph (C), by striking the period and inserting ''; or''; and

(iii) by adding at the end the following:

''(D) acquire drugs or devices approved, cleared, or otherwise legally marketed under the Federal Food, Drug, and Cosmetic Act for emergency treatment of known or suspected overdose.'';

(3) by striking subsection (f);

(4) by redesignating subsection (g) as subsection (f);

(5) in subsection (f)(1), as so redesignated, by striking ''2019 through 2023'' and inserting ''2024 through 2028'';

(6) by redesignating such section 330J as section 553 of the Public Health Service Act; and

(7) by transferring such section 553, as so redesignated, to appear at the end of part D of title V of the Public Health Service Act (42 U.S.C. 290dd et seq.).

The committee-reported amendment in the nature of a substitute was agreed to.

The bill (S. 265), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

SECURING SEMICONDUCTOR SUPPLY CHAINS ACT OF 2023

The bill (S. 229) to require SelectUSA to coordinate with State-level economic development organizations to increase foreign direct investment in semiconductor-related manufacturing and production, which had been reported from the Committee on Commerce, Science, and Transportation, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 265

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 ''Supporting and Improving Rural EMS Needs Reauthorization Act'' or the ''SIREN Reauthorization Act''.

SEC. 2. RURAL EMERGENCY MEDICAL SERVICE TRAINING AND EQUIPMENT ASSISTANCE PROGRAM.

Section 330J of the Public Health Service Act (42 U.S.C. 254c–15) is amended—

(1) in subsection (a), by striking ''the Administrator of the Health Resources and Services Administration (referred to in this section as the 'Secretary')'' and inserting ''the Assistant Secretary,'';

(2) in subsection (c)—

(A) in paragraph (1)—

(i) in subparagraph (C), by striking ''; and'' and inserting a semicolon; and

(ii) by adding at the end the following:

''(E) ensure emergency medical services personnel are trained on mental health and substance use disorders and care for individuals with such disorders in emergency situations; and''; and

(B) in paragraph (2)—

(i) in subparagraph (B), by striking ''; or'' and inserting a semicolon;

(ii) in subparagraph (C), by striking the period and inserting ''; or''; and

(iii) by adding at the end the following:

''(D) acquire drugs or devices approved, cleared, or otherwise legally marketed under the Federal Food, Drug, and Cosmetic Act for emergency treatment of known or suspected overdose.'';

(3) by striking subsection (f);

(4) by redesignating subsection (g) as subsection (f);

(5) in subsection (f)(1), as so redesignated, by striking ''2019 through 2023'' and inserting ''2024 through 2028'';

(6) by redesignating such section 330J as section 553 of the Public Health Service Act; and

(7) by transferring such section 553, as so redesignated, to appear at the end of part D of title V of the Public Health Service Act (42 U.S.C. 290dd et seq.).

SAVE OUR SEAS 2.0 AMENDMENTS ACT

The Senate proceeded to consider the bill (S. 318) to amend the Save Our Seas 2.0 Act to improve the administration of the Marine Debris Foundation, to amend the Marine Debris Act to improve the administration of the Marine Debris Program of the National Oceanic and Atmospheric Administration, and for other purposes, which had been reported from the Committee on Commerce, Science, and Transportation with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Save Our Seas 2.0 Amendments Act''.

SEC. 2. MODIFICATIONS TO THE MARINE DEBRIS FOUNDATION.

(a) DEFINITIONS.—Section 2 of the Save Our Seas 2.0 Act (33 U.S.C. 4201) is amended—

(1) in paragraph (7)(D), by striking ''(as defined'' and all that follows through ''5304))'';

(2) by redesignating paragraph (11) as paragraph (13); and

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

''(11) TRIBAL GOVERNMENT.—The term 'Tribal government' means the recognized governing body of any Indian or Alaska Native Tribe, band, nation, pueblo, village, community, component band, or component reservation, individually identified (including parenthetically) in the list published most recently as of the date of the enactment of the Save Our Seas 2.0 Amendments Act pursuant to section 104 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 5131).

''(12) TRIBAL ORGANIZATION.—The term 'Tribal organization' has the meaning given that term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).''.

(b) STATUS OF FOUNDATION.—Section 111(a) of such Act (33 U.S.C. 4211(a)) is amended, in the second sentence, by striking ''organization'' and inserting ''corporation''.

(c) PURPOSES.—Section 111(b)(3) of such Act (33 U.S.C. 4211(b)(3)) is amended by inserting ''Indian Tribes,'' after ''Tribal governments,''.

(d) BOARD OF DIRECTORS.—

(1) APPOINTMENT, VACANCIES, AND REMOVAL.—Section 112(b) of such Act (33 U.S.C. 4212(b)) is amended—

(A) in paragraph (1), in the matter preceding subparagraph (A)—

(i) by striking ''and considering'' and inserting ''considering'';

(ii) by inserting ''and with the approval of the Secretary of Commerce,'' after ''by the Board,''; and

(iii) by inserting ''and such other criteria as the Under Secretary may establish'' after ''subsection (a)'';

(B) in paragraph (3)(A), by inserting ''with the approval of the Secretary of Commerce'' after ''the Board'';

(C) in paragraph (5)—

(i) by inserting ''the Administrator of the United States Agency for International Development,'' after ''Service,''; and

(ii) by inserting ''and with the approval of the Secretary of Commerce'' after ''EPA Administrator'';

(D) by redesignating paragraphs (2) through (5) as paragraphs (3) through (6), respectively; and

(E) by inserting after paragraph (1) the following:

''(2) RECOMMENDATIONS OF BOARD REGARDING APPOINTMENTS.—For appointments made under paragraph (1) other than the initial appointments, the Board shall submit to the Under Secretary recommendations on candidates for appointment.''.

(2) GENERAL POWERS.—Section 112(g) of such Act (33 U.S.C. 4212(g)) is amended—

(A) in paragraph (1)(A), by striking ''officers and employees'' and inserting ''the initial officers and employees''; and

(B) in paragraph (2)(B)(i), by striking ''its chief operating officer'' and inserting ''the chief executive officer of the Foundation''.

(3) CHIEF EXECUTIVE OFFICER.—Section 112 of such Act (33 U.S.C. 4212) is amended by adding at the end the following:

''(h) CHIEF EXECUTIVE OFFICER.—

''(1) APPOINTMENT; REMOVAL; REVIEW.—The Board shall appoint and may remove and review the performance of the chief executive officer of the Foundation.

''(2) POWERS.—The chief executive officer of the Foundation may appoint, remove, and review the performance of any officer or employee of the Foundation.''.

(e) POWERS OF FOUNDATION.—Section 113(c)(1) of such Act (33 U.S.C. 4213(c)(1)) is amended, in the matter preceding subparagraph (A)—

(1) by inserting ''nonprofit'' before ''corporation''; and

(2) by striking ''acting as a trustee'' and inserting ''formed''.

(f) PRINCIPAL OFFICE.—Section 113 of such Act (33 U.S.C. 4213) is amended by adding at the end the following:

''(g) PRINCIPAL OFFICE.—The Board may locate the principal office of the Foundation outside the District of Columbia and is encouraged to locate that office in a coastal State.''.

(g) BEST PRACTICES; RULE OF CONSTRUCTION.—Section 113 of such Act (33 U.S.C. 4213), as amended by subsection (f), is further amended by adding at the end the following:

''(h) BEST PRACTICES.—

''(1) IN GENERAL.—The Foundation shall develop and implement best practices for conducting outreach to Indian Tribes and Tribal governments.

''(2) REQUIREMENTS.—The best practices developed under paragraph (1) shall—

''(A) include a process to support technical assistance and capacity building to improve outcomes; and

''(B) promote an awareness of programs and grants available under this Act.

''(i) RULE OF CONSTRUCTION.—Nothing in this Act may be construed—

''(1) to satisfy any requirement for government-to-government consultation with Tribal governments; or

''(2) to affect or modify any treaty or other right of any Tribal government.''.

(h) USE OF FUNDS.—Section 118 of such Act (33 U.S.C. 4218) is amended—

(1) in subsection (a)—

(A) in paragraph (2), by striking ''and State and local government agencies'' and inserting '', State and local government agencies, regional organizations, Indian Tribes, and Tribal organizations''; and

(B) in paragraph (3)—

(i) in the paragraph heading, by striking ''PROHIBITION'' and inserting ''LIMITATION''; and

(ii) by striking subparagraph (B) and inserting the following:

''(B) SALARIES.—The Foundation may use Federal funds described in subparagraph (A) to pay for salaries only during the 24-month period beginning on the date of the enactment of the Save Our Seas 2.0 Amendments Act. The Secretary shall not require reimbursement from the Foundation for any such Federal funds used to pay for such salaries.''; and

(2) in subsection (b)(2), by striking ''and State and local government agencies'' and inserting '', State and local government agencies, United States and international nongovernmental organizations, regional organizations, and foreign government entities''.

SEC. 3. MODIFICATIONS TO THE MARINE DEBRIS PROGRAM OF THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.

Section 3(d) of the Marine Debris Act (33 U.S.C. 1952(d)) is amended—

(1) in the subsection heading, by striking ''AND CONTRACTS'' and inserting ''CONTRACTS, AND OTHER AGREEMENTS'';

(2) in paragraph (1), by striking ''and contracts'' and inserting '', contracts, and other agreements'';

(3) in paragraph (2)—

(A) in subparagraph (B)—

(i) by striking ''part of the'' and inserting ''part of a''; and

(ii) by inserting ''or (C)'' after ''subparagraph (A)''; and

(B) in subparagraph (C), in the matter preceding clause (i), by inserting ''and except as provided in subparagraph (B)'' after ''subparagraph (A)''; and

(4) by adding at the end the following:

''(7) IN-KIND CONTRIBUTIONS.—With respect to any project carried out pursuant to a contract or other agreement entered into under paragraph (1) that is not a cooperative agreement or an agreement to provide financial assistance in the form of a grant, the Administrator may contribute on an in-kind basis the portion of the costs of the project that the Administrator determines represents the amount of benefit the National Oceanic and Atmospheric Administration derives from the project.''.

The committee-reported amendment, in the nature of a substitute was agreed to.

The bill (S. 318), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

RESOLUTIONS SUBMITTED TODAY

Mr. SCHUMER. Madam President, I ask unanimous consent that the Senate proceed to the en bloc consideration of the following Senate resolutions, S. Res. 499, S. Res. 500, S. Res. 501, S. Res. 502.

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

Mr. SCHUMER. Madam President, these resolutions concern requests for evidence in two criminal actions pending in Federal district courts, one in the District of Columbia and the other in the Southern District of Texas. Trials in both matters are expected to commence on January 8, 2024.

In the first case, pending in Federal district court in the District of Columbia, the defendant is charged with multiple counts arising out of the events of January 6, 2021. In this case, brought against Anthony Antonio, the prosecution has requested testimony from Daniel Schwager, formerly counsel to the Secretary of the Senate, concerning his knowledge and observations of the process and constitutional and legal bases for Congress' counting of the Electoral College votes. Senate Secretary Berry would like to cooperate with this request by providing relevant testimony in this trial from Mr. Schwager.

In the second case, pending in Federal district court in the Southern District of Texas, the defendant is charged with threatening to injure and murder Senator TED CRUZ in a voicemail he left with the Senator's Houston, TX office. In this case, brought against Isaac Ambe Nformangum, the prosecution has requested testimony from Amy English, the Senator's staff assistant, and Grant Murray, the Senator's special operations adviser, who witnessed the relevant events. The prosecution has further requested trial testimony from Anthony Rodregous, Senator CRUZ's counsel, who has knowledge of the Senator's official duties and position on the 1965 Civil Rights Act, which formed the basis of the defendant's threat. Senator CRUZ would like to cooperate with these requests by providing relevant employee testimony from his office.

In keeping with the rules and practices of the Senate, the enclosed resolutions would authorize the production of relevant testimony from Mr. Schwager, Ms. English, and Messrs. Murray and Rodregous, with representation by the Senate legal counsel.

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

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

The resolutions were agreed to.

The preambles were agreed to.

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

ORDERS FOR THURSDAY, DECEMBER 14, 2023

Mr. SCHUMER. Madam President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 10 a.m. on Thursday, December 14; 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 proceed to executive session to resume consideration of the Edwards nomination; further, that if any nominations are confirmed during Thursday's session, the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

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

ADJOURNMENT UNTIL 10 A.M. TOMORROW

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

There being no objection, the Senate, at 7:44 p.m., adjourned until Thursday, December 14, 2023, at 10 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate December 13, 2023:

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. SHOSHANA S. CHATFIELD

DEPARTMENT OF DEFENSE

NICKOLAS GUERTIN, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF THE NAVY.

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. MICHELE H. BREDENKAMP

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. STEPHEN G. SMITH

HARRY S TRUMAN SCHOLARSHIP FOUNDATION

BETTY Y. JANG, OF ILLINOIS, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE HARRY S TRUMAN SCHOLARSHIP FOUNDATION FOR A TERM EXPIRING DECEMBER 10, 2029.

JAMES MADISON MEMORIAL FELLOWSHIP FOUNDATION

LAURA DOVE, OF VIRGINIA, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE JAMES MADISON MEMORIAL FELLOWSHIP FOUNDATION FOR A TERM EXPIRING NOVEMBER 17, 2029.

LAURA DOVE, OF VIRGINIA, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE JAMES MADISON MEMORIAL FELLOWSHIP FOUNDATION FOR A TERM EXPIRING NOVEMBER 17, 2023.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. DAVID J. BERKLAND

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIG. GEN. SCOTT A. CAIN
BRIG. GEN. PAUL D. MOGA

IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIG. GEN. LAWRENCE G. FERGUSON