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No. 19

## Senate

The Senate met at 11 a.m. and was called to order by the Honorable BEN RAY LUJÁN, a Senator from the State of New Mexico.

### PRAYER

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

Let us pray.

Listen to our prayer, dear Lord, for You are our mighty fortress. When we feel overwhelmed, we place our hope in You. When we feel doubt, You fill us with Your faith. When we feel afraid, You continue to be our light and salvation. Thank You for keeping us safe.

Lord, guide our lawmakers. May they give You their burdens as they seek to do Your will and live for Your glory. Use them to help heal our hurting nation and world. Let faith, hope, and love abound in their lives.

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

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, February 1, 2024.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BEN RAY LUJÁN, a Senator from the State of New Mexico, to perform the duties of the Chair.

PATTY MURRAY,  
President pro tempore.

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

### RESERVATION OF LEADER TIME

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

### CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

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

The legislative clerk read the nomination of Lisa W. Wang, of the District of Columbia, to be a Judge of the United States Court of International Trade.

#### RECOGNITION OF THE MAJORITY LEADER

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

#### SUPPLEMENTAL FUNDING

Mr. SCHUMER. Mr. President, it is not often that the U.S. Senate is called to act on a multitude of national security issues all at the same time. But right now, that is precisely the task at hand.

Vladimir Putin has waged war against Ukraine and against Western democracy for nearly 2 years. Israel suffered its bloodiest day last fall at the hands of the terror group Hamas, and millions of innocent Gaza civilians are in desperate need of aid. The Chinese Communist Party threatens to increase tensions in the Indo-Pacific.

And our southern border is in urgent need—in urgent need—of fixing.

These are daunting challenges. They are time-sensitive challenges. And in the era of divided government, the only way—let me repeat—the only way to pass a national security supplemental is through bipartisanship—bipartisanship.

Over the course of this week, Democrats and Republicans have continued serious negotiations on the supplemental package. But there are still some pieces remaining to be settled.

Democrats have been exceedingly clear that we are willing to treat these negotiations with the seriousness they deserve. We have worked with Republicans on border security and on a vast range of issues and on coming to an agreement, and we want to finish the job.

The negotiators' tasks have not been easy because the more progress they make, the louder voices get on the outside who want to kill these negotiations in their tracks. There are always going to be some who prefer to exploit the issue of the border instead of fixing it. So the real question is whether Senators can tune all of that noise out and focus on reaching an agreement. Opportunities like this one are extremely rare when it comes to border security, so we owe it to the American people to seize this opportunity, and that is what Democrats want to do.

Senate Democrats remain committed to seeing this bipartisan process through. For the sake of our friends in Ukraine, for the sake of security on our border, for the sake of the future of Western democracy in the 21st century, we will keep working to get the job done.

#### THE ECONOMY

On the economy, Mr. President, the reports are in, the results are clear: Americans are feeling better and better about where the economy is headed under President Biden and congressional Democratic leadership. When

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



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you pass an ambitious agenda like the ones Democrats have passed under President Biden, it can take some time for the effects to take hold. But now we are starting to see these benefits gain momentum.

Americans are starting to notice. As a Washington Post headline read this week:

Falling inflation, rising growth give the United States the world's best recovery.

American citizens have noticed. The University of Michigan shows that consumer sentiment surged by nearly 30 percent over the last 2 months—the biggest 2-month increase in over 30 years.

Earlier this week, another survey by The Conference Board showed American consumers are more optimistic about the economy today than they have been in over 2 years. Let me say that again. According to a new survey by The Conference Board—very well-respected—American consumers are more optimistic about the economy today than they have been over the past 2 years.

The chief economist at The Conference Board credited the surge in consumer optimism to “slower inflation” and “favorable employment conditions.”

Look, a year and a half ago, when Democrats passed legislation investing in the American people, like the Inflation Reduction Act, the hard right predicted America would sink into recession. Instead, the opposite has happened. Jobs are up, the economy is up, wages are up, and inflation has cooled down. None of this happened on its own. It is a result of Democrats choosing to invest in infrastructure, invest in manufacturing and scientific innovation, lowering prescription drug costs, and more.

We are seeing big progress across the country. One year ago this week, I stood with President Biden to announce historic investment in one of the most important infrastructure projects in the country—the Gateway Tunnel. Just this morning, we learned that manufacturing investments—something that has plagued America for quite a while—is near an all-time high, more than double its highest point during the previous administration.

Look, Republicans know the Democratic agenda is working. It is why so many Republicans in Congress are openly taking credit for our achievements. All over the country, you see Republicans bragging about projects and jobs that they actually voted against in Congress. The hard right knows they have no real agenda to tout. As one Texas Congressman said on the House floor:

I want my Republicans colleagues to give me one thing—one—that I can go campaign on and say we did.

Unfortunately, this Republican Congressman, his options are slim because they don't have much to tell the American people about that they did that was good.

Without real accomplishments on their own, the hard right is trying to take credit for the things Democrats are doing. It is laughable. And the American people, frankly, aren't falling for it.

So make no mistake. We still have a long way to go to make our economy more productive. But Americans can rest assured that under President Biden and congressional Democrats, we are on the right track.

I yield the floor.

RECOGNITION OF THE MINORITY LEADER

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

NATIONAL SECURITY

Mr. MCCONNELL. Mr. President, the People's Republic of China is the single greatest strategic challenge facing the United States. It poses a potentially existential threat to our friends in the region and a growing threat to our allies in Europe as well.

The PRC is working to undermine the prevailing order that has maintained a major power piece for eight decades. It is useful to think about this challenge from our adversary's position.

President Xi aims to expand China's influence at our expense, to rewrite the rules of the road, and to dominate his neighbors. Each of these tasks becomes easier the more the West is distracted, divided, and deterred. And depending on the choices America and our allies make, our adversaries may succeed without even trying.

Are we distracted? Ask Beijing what it thinks about the Western diplomatic energy expended on unenforceable climate mandates while Chinese industry accelerates its carbon emissions. Our adversaries must scratch their heads at some of the things about which Western leaders obsess.

Are we divided? The PRC clearly hopes that the West's shared values are not as strong as our adversaries' shared disdain for them. Beijing no doubt enjoys watching the United States abandon allies in Afghanistan, second-guess allies in Israel, and initiate trade fights with its closest allies rather than China.

Are we deterred? We are self-deterred. Hesitation and hand-wringing over fears of escalation have become hallmarks of the Biden administration's foreign policy. Right now, you would be forgiven for wondering whether President Biden might take longer to respond to the Iran-backed strike that killed U.S. soldiers in Jordan than he did to finally approve long-range fires for Ukraine.

The administration's public obsession with avoiding escalation at all cost only signals to our adversaries that, indeed, authoritarians can take what they want by force.

Fortunately, Putin's aggression has clarified our allies' thinking. The West is waking up, turbocharging investments in new capabilities, and accelerating the expansion of our own defense industrial base.

Beijing and Moscow are not happy to see war in Ukraine prompt two more highly advanced European nations make historic new commitments to collective defense of the West by joining NATO. They are not happy to see America's allies direct a gusher of historic military investments into cutting-edge American weapons made by American workers. In the past 2 years, Pacific allies like Japan, South Korea, and Australia have been buying American to the tune of tens of billions of dollars. NATO allies have invested \$120 billion of their own in U.S. capabilities. Importantly, they are also investing in expanding their own defense industrial capacities.

Our allies recognize that Russia, China, and Iran are, as Secretary General Stoltenberg put it just yesterday here in Washington, “shaping [an] alternative world where U.S. power is diminished [and] NATO is divided.” In response, they are rejecting division and committing to interoperability and collective defense. In many ways, NATO is now more united than during the Cold War. But this progress is not a given. It depends on American leadership, and it is quite capable of unraveling. President Xi would like nothing more.

There is really no quicker way to make sure we will be distracted from necessary competition with China than by letting Russian aggression in Europe fester. There is no surer path to dividing America from our closest allies than by shredding our credibility and abandoning Ukraine. The PRC hopes that America and our allies will lose our will to stand up to Russian aggression. President Xi hopes for Russian victory but will benefit, too, from a frozen conflict. As they watch Russia fight in Ukraine, what Beijing and Tehran fear is a Western victory.

We must understand that the threats our adversaries pose are connected. China, Russia, Iran, and North Korea are making alarming new commitments to support and underwrite one another's aggressive behavior. Our Asian allies know it. They know that leaving Russia undefeated means leaving the PRC undefeated. And their security assistance to Ukraine demonstrates how seriously they take these linked threats.

There is also growing transatlantic agreement that China is a systemic rival and a revisionist power.

When the most successful military alliance in history stands together, it represents fully half of the world's military power and half of its economic power. NATO is a formidable force that inspires confidence and collaboration among an even wider circle of allies and partners, particularly in the Indo-Pacific. But when America and our allies let aggression linger undefeated, this force is spread thin. Beijing wants nothing more than to face a West still consumed by self-deterrence in a conflict halfway around the world.

Europe has woken up. It is outpacing America in direct assistance to

Ukraine, with another €50 billion in assistance announced just today. This is good news. But even as our European allies ramp up their support, strengthen their defenses, upgrade their capabilities, and expand their defense industrial capacity, America doesn't get to opt out—opt out—of doing the same. Even as our most technologically advanced allies take historic steps forward, America doesn't have the luxury of pawning off our interests.

Deterring China means defeating Russian aggression. Degrading Russia's military means weakening Beijing's "friendship without limits" with Moscow. Equipping Ukraine to defend itself means confronting the PRC with the thing it hates the most: sovereign nations that choose their leaders and defend their interests.

Strengthening America's national security means standing with our allies and investing even more heavily in the capabilities we need to face our top strategic rival and every threat we face with formidable American strength.

## ENERGY

Mr. President, on another matter, last week, the Biden administration followed through on a devastating threat to some of the most abundant and reliable energy made here in America and to those who rely on it around the world.

The administration's de facto ban on new liquefied natural gas export permits is the sort of policy so profoundly damaging that it could only have been dreamt up by the leftwing activists who are increasingly calling the shots on President Biden's energy policies.

As I have mentioned before, this de facto ban is harmful to American interests both at home and abroad. Canceled export permits mean canceled projects and canceled jobs. Bans on exploring and exporting American energy mean working families pay higher prices for gasoline, home heating, and countless other everyday expenses.

Since President Biden took office, the cost of gasoline has increased a cumulative 35 percent, fuel oil prices have increased 61 percent, natural gas has increased 27 percent, and electricity prices have increased 25 percent. But the costs of the administration's green bent aren't confined to our own borders. For the past 2 years, allies who once relied on Russian energy have started consuming more clean American LNG. As a recent editorial put it, "If new U.S. LNG projects are blocked, Europe and Asia will have to import gas from elsewhere to meet their growing demand. Most won't come from America's friends."

Iran and Russia are both increasing their LNG production capabilities, ready to meet desperate demand when American export capacity no longer can. Meanwhile, the same radical activists who drove a stake through the Keystone XL Pipeline are gleefully declaring victory in their campaign to make America and our allies more reliant on dirty energy from our adversaries.

President Biden, in keeping with his administration's practice of rewarding bad behavior with more responsibility, put one of the masterminds of his climate policy up for a promotion at the EPA. Yesterday, Senate Democrats overran bipartisan opposition to confirm Joseph Goffman's nomination as Assistant Administrator.

As I have said before, Mr. Goffman has encouraged the EPA's worst—worst—regulatory excesses and put activist whims over American workers and job creators. By some estimates, he has presided over the elimination of half the Nation's coal jobs. Unfortunately, the radical climate agenda he is helping to steer shows no signs of slowing down.

## CLOTURE MOTION

The ACTING PRESIDENT pro tempore. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 477, Lisa W. Wang, of the District of Columbia, to be a Judge of the United States Court of International Trade.

Charles E. Schumer, Richard J. Durbin, Brian Schatz, Mazie K. Hirono, Tina Smith, Gary C. Peters, Amy Klobuchar, Raphael G. Warnock, Catherine Cortez Masto, Alex Padilla, Mark R. Warner, Tim Kaine, Sheldon Whitehouse, Martin Heinrich, Christopher A. Coons, Margaret Wood Hassan, Peter Welch.

The ACTING PRESIDENT pro tempore. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Lisa W. Wang, of the District of Columbia, to be a Judge of the United States Court of International Trade, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Michigan (Mr. PETERS) and the Senator from Michigan (Ms. STABENOW) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO) and the Senator from North Dakota (Mr. HOEVEN).

Further, if present and voting: the Senator from North Dakota (Mr. HOEVEN) would have voted "nay."

The yeas and nays resulted—yeas 53, and nays 43, as follows:

[Rollcall Vote No. 31 Ex.]

## YEAS—53

Baldwin	Cardin	Durbin
Bennet	Carper	Fetterman
Blumenthal	Casey	Gillibrand
Booker	Collins	Graham
Brown	Coons	Hassan
Butler	Cortez Masto	Heinrich
Cantwell	Duckworth	Hickenlooper

Hirono	Murphy	Smith
Kaine	Murray	Tester
Kelly	Ossoff	Van Hollen
King	Padilla	Vance
Klobuchar	Reed	Warner
Luján	Rosen	Warnock
Manchin	Sanders	Warren
Markey	Schatz	Welch
Menendez	Schumer	Whitehouse
Merkley	Shaheen	Wyden
Murkowski	Sinema	

## NAYS—43

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

## NOT VOTING—4

Barrasso	Peters
Hoeven	Stabenow

The PRESIDING OFFICER (Mr. KING). On this vote, the yeas are 53, the nays are 43.

The motion is agreed to.

## CLOTURE MOTION

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

The senior assistant legislative clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 476, Joseph Albert Laroski, Jr., of Maryland, to be a Judge of the United States Court of International Trade.

Charles E. Schumer, Richard J. Durbin, Brian Schatz, Mazie K. Hirono, Tina Smith, Gary C. Peters, Amy Klobuchar, Raphael G. Warnock, Catherine Cortez Masto, Alex Padilla, Mark R. Warner, Tim Kaine, Sheldon Whitehouse, Martin Heinrich, Christopher A. Coons, Margaret Wood Hassan, Peter Welch.

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

The question is, Is it the sense of the Senate that debate on the nomination of Joseph Albert Laroski, Jr., of Maryland, to be a Judge of the United States Court of International Trade, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Michigan (Mr. PETERS) and the Senator from Michigan (Ms. STABENOW) are necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: The Senator from Wyoming (Mr. BARRASSO).

The yeas and nays resulted—yeas 97, nays 0, as follows:

[Rollcall Vote No. 32 Ex.]

YEAS—97

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

NOT VOTING—3

Barrasso Peters Stabenow

CHANGE OF VOTE

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. LANKFORD. Mr. President, on vote No. 32, I voted no, but my intention was to vote yes, actually. I would like to ask unanimous consent that I be permitted to change my vote, since it will not affect the outcome.

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

(The foregoing tally has been changed to reflect the above order.)

The PRESIDING OFFICER (Mr. KELLY). On this vote, the yeas are 97, the nays are 0.

The motion is agreed to.

## EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Joseph Albert Laroski, Jr., of Maryland, to be a Judge of the United States Court of International Trade.

The PRESIDING OFFICER (Ms. BUTLER). The Senator from Maryland.

## HUMAN RIGHTS DEFENDERS PROTECTION ACT

Mr. CARDIN. Madam President, I come to the floor today to express my deep appreciation and gratitude for human rights defenders. They are the core of free, democratic societies. They risk their lives and freedom to hold governments and the private sector accountable. They advocate for human rights and political freedom. They protect our environment and fight corruption.

Despite very real threats to their lives and safety, they have achieved incredible victories. Because of their tireless efforts, from Colombia to Mexico, nations across Latin America expanded reproductive rights; Argentina

passed a law to prevent gender-based violence online and hold perpetrators accountable; the EU reached an agreement to require companies to address the human rights and environmental harms of their operations; and Malaysia and Ghana took steps to abolish the death penalty. We celebrate these victories.

But I also must underline a deep sense of urgency today. Attacks against human rights defenders are on the rise across the globe. Hundreds are killed each year, and thousands more are attacked, threatened, or imprisoned; the Russian investigative journalist who was brutally attacked for exposing human rights abuses in the Northern Caucasus; the Guatemalan judge forced into exile after holding human rights abusers accountable for their actions during the brutal civil war; the taxi driver and human rights defender in Turkmenistan serving a 22-year sentence in a penal colony for documenting the torture of ethnic minorities; the 28-year-old human rights defender in Sudan who was killed, along with his parents and his four brothers; or one of the hundreds of human rights defenders killed by armed groups vying for control of Colombia's drug trafficking routes.

Not only are attacks growing in scale, today's oppressors use sophisticated surveillance technology to target their enemies, even those living in exile.

The United Nations Special Rapporteur on Human Rights Defenders has said:

Governments claim that all this repression is about national security. In reality it is about power and money. They want to maintain power so they control information.

As a result, those who stand for freedom and justice often face death threats, harassment, arbitrary detention, and torture.

Women human rights defenders and those working on environmental protection, climate change, LBGTQI+ community issues, and indigenous rights face especially high levels of violence.

I am pleased that the Biden administration has made protecting human rights defenders a priority for American foreign policy. Human rights defenders are heroes in the fight for democracy and freedom, and the United States must stand in solidarity with them.

But we all need to do more. That is why I introduced the Human Rights Defenders Protection Act. This bill enhances our government's ability to prevent and respond to attacks on human rights defenders. It requires the administration to come up with a whole-of-government global strategy for human rights defenders. It creates a new, limited visa category for at-risk human rights defenders. It elevates the State Department's human rights officers in countries facing democracy and human rights crises. It trains Foreign Service officers on the protection of human

rights defenders. It expands fellowships to allow human rights defenders to conduct research, outreach, and exchanges in the United States.

My grandparents came to America in 1902 from Lithuania, where there were pogroms against Jews across Russia and Eastern Europe. The defense of human rights has always been profoundly important to me and my family.

For many decades in my life, the Soviet Union was one of the greatest threats to human rights on Earth, and it seemed indestructible. But I remember standing with my wife at the Berlin Wall in 1987—a symbol of totalitarianism suffering. My wife and I hammered at the concrete that was covered in graffiti, showing a crossed-out hammer and sickle. Chipping away at the Berlin Wall was a reminder of the good we can achieve if only we have faith.

So to everyone who cares about justice, to everyone who fights for freedom, to everyone who defends human rights against all odds, don't give up. Let us continue to advocate for those human rights defenders behind bars. Let us champion their efforts across the globe. Let us have faith that we can overcome oppression and violence and assassinations. Let us keep hope alive that we can build a world that is safe and peaceful and prosperous.

With that, I urge my colleagues to support the legislation I filed.

## NOMINATION OF LISA W. WANG

Mr. DURBIN. Mr. President, today, the Senate will vote to confirm Lisa Wang to the U.S. Court of International Trade.

Ms. Wang attended Cornell University and the Georgetown University Law Center before entering private practice in Washington, DC, as an international trade associate. Ms. Wang then spent 3 years serving in the U.S. Embassy in Beijing as a senior import administration officer before joining the Office of the U.S. Trade Representative as assistant general counsel. She went on to serve as a senior attorney in the Commerce Department's Office of the Chief Counsel for Trade Enforcement and Compliance before completing another stint in private practice.

In 2021, President Biden nominated Ms. Wang to serve as an Assistant Secretary of Commerce for Enforcement and Compliance, and she was confirmed in the Senate by voice vote. At the Department of Commerce, she has led the Federal Government's efforts to maintain a level playing field for American workers and consumers by holding our partners accountable to their trade agreements.

Ms. Wang was unanimously rated "well qualified" by the American Bar Association. Her deep knowledge of international trade law and commitment to fairness make her an excellent addition to the Court of International Trade. I urge my colleagues to join me in voting for her confirmation.

Mr. CARDIN. I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Madam President, I ask unanimous consent that the scheduled vote for 1:45 p.m. begin immediately.

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

VOTE ON WANG NOMINATION

The question is, Will the Senate advise and consent to the Wang nomination?

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Michigan (Ms. STABENOW) and the Senator from Michigan (Mr. PETERS) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the Senator from Texas (Mr. CRUZ), and the Senator from Kansas (Mr. MARSHALL).

Further, if present and voting: the Senator from Kansas (Mr. MARSHALL) would have voted "nay."

The result was announced—yeas 53, nays 42, as follows:

[Rollcall Vote No. 33 Ex.]

YEAS—53

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

NAYS—42

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

NOT VOTING—5

Barrasso	Marshall	Stabenow
Cruz	Peters	

The nomination was confirmed.

The PRESIDING OFFICER. The Senator from Oregon.

U.S. SUPREME COURT

Mr. WYDEN. Madam President, I come to the floor to talk about something every American wants from their public officials: transparency and accountability.

Unfortunately, after repeated attempts, Congress has not received that transparency or accountability from

Supreme Court Justice Clarence Thomas, and it is feeding the perception of corruption. For the past 6 months, the Senate Finance Committee has been trying to get straight answers from the Justice and his wealthy friends about the growing list of handouts they have lavished on the Justice.

Most recently, we sought to figure out whether Justice Thomas secretly had over \$250,000 in debt written off—simply wiped away—by a wealthy benefactor. If so, as chairman of the Senate Finance Committee, I am working to learn whether he paid the taxes he was supposed to—taxes that any American is legally required to pay.

The Justice has refused to respond. Justice Thomas acts as if the freebies and the special favors Americans are reading about—the flights on private jets, comped; trips on luxury yachts; megawealthy individuals paying for school tuitions; quarter-million-dollar debts wiped away—is totally normal stuff.

The reality is, it is not. It isn't normal for anyone, and when the person receiving all of these extravagant handouts is one of the nine most powerful jurists in the country, with unchecked power to rewrite laws from the bench, it looks worse.

With respect to this disappearing debt, here is what we know. In 1999, one of Justice Thomas's friends loaned him \$267,230 to buy a luxury RV. That is some kind of friend.

Justice Thomas wants to believe the story is simple, like the couple hundred bucks you would loan somebody to get their car fixed in an emergency. This is the story that the Justice has, in effect, apparently subscribed to obscures the truth.

The simple fact here is that loans have to be repaid, and it sure looks like this one was not. According to the terms of the loan agreement—which, by the way, was written down on Supreme Court stationary from the chamber of Clarence Thomas—Thomas's friend supplied the money to buy Thomas the luxury RV. In return, the Justice was supposed to pay 7.5 percent interest for 5 years. Then the loan would come due, and then Justice Thomas would be responsible for having to repay the full principal. But from what I have seen, the payment never happened.

Through my investigation, I have uncovered that Justice Thomas only paid interest on the transaction. When the deadline hit after 5 years, his friend extended the maturity date on the loan for another decade. But just 4 years later, Thomas' friend simply decided to stop collecting payments from the Justice, even though the Justice still owed him more than \$¼ million.

Justice Thomas's friend wrote a note telling him that the interest he paid was good enough and that he wouldn't accept further payments. That means that the debt—likely the entire \$260,000 in principal—was considered forgiven. Again, that is quite a friend.

So the documents we have seen indicate Justice Thomas received a \$267,000 loan to buy a luxury RV and never repaid most—and, likely, not even a dollar—of the money that his friend originally loaned him. This has legal consequences.

The Tax Code makes clear that in instances where a debt is canceled, forgiven, or discharged for less than the amount owed, the borrower must report the amount canceled or forgiven as income for tax purposes. Furthermore, the forgiven debt is income that Justice Thomas is required by law to report on his financial disclosure report.

But Justice Thomas never reported the \$¼ million in forgiven debt on his financial disclosure report in 2008, the year his debt was forgiven. He won't give the Finance Committee a direct answer on whether he reported it on his taxes, raising serious legal questions.

After I publicly revealed these findings, Justice Thomas, through his lawyer, said the documents that I reviewed were untrue. The Justice said:

The loan was never forgiven. Any suggestion to the contrary is false.

And—

The terms of the agreement were satisfied in full.

This contradicts the documents I reviewed. So, along with Senator WHITEHOUSE, our colleague from Rhode Island, we wrote to Justice Thomas's lawyer and gave him a chance to prove his claim. Personally, I believe that a sitting Supreme Court Justice would jump at the opportunity to correct the record and prove that he repaid his debt and did not cheat on taxes. I wish I could report to the American people that was the case and that this whole mess was just a misunderstanding. But that did not happen.

Justice Thomas did not give us any documentation about his so-called loan. Senator WHITEHOUSE and I gave him a month to respond and received nothing—no loan agreement, no payment schedule, no evidence of principal payments, and no explanation for why he and his lawyer said the documents and information I uncovered were untrue. If what Justice Thomas and his lawyer are saying about the loan is accurate, the question is, What is behind all the stonewalling?

Does the Justice believe he shouldn't ever have to answer the questions about all these major windfalls and luxury travel, not even to prove that everything was on the level? Justice Thomas and his lawyers could put this whole affair to rest by providing copies of checks repaying the \$¼ million loan.

My personal guess is they can't because those payments never happened.

If a wealthy friend forgave a \$¼ million loan to Justice Thomas, the law requires that he declare it.

As chairman of the Senate Finance Committee, it is essential that Justice Thomas list that income on his taxes. He is also required to disclose the money on his financial disclosure report. Based on what we have seen, it

seems like he did neither. Our laws, including our tax laws, have to apply to everyone. The law applies to everyone, especially one of the nine most powerful jurists in America. Congress must ensure that they do.

It is time for Justice Thomas to respond with the facts about this \$¼ million loan and any similar money and gifts he has received as a Supreme Court Justice.

Now, Madam President, I am going to yield to my colleague on the Finance Committee. He is also the chairman of the Budget Committee and chairman of the important Judiciary Subcommittee on Federal Courts, our colleague Senator WHITEHOUSE of Rhode Island.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Madam President, let me start by thanking our Finance Committee chairman, Chairman WYDEN, for his strong leadership. Chairman WYDEN was able to secure the cooperation of the wealthy donor who gave Justice Thomas the \$¼ million-plus RV loan. The chairman doggedly followed the facts to get the truth for the American people, which takes guts, particularly when you consider the many special interests rooting for this investigation to go away.

And while I am thanking the chairman, let me also thank Chairman DURBIN for his persistent and dogged pursuit of the truth through the Judiciary Committee. Both the Judiciary and Finance Committees are working to get to the bottom of this.

Keep in mind, in all the ethics mess engulfing Justice Thomas, that for every ethics issue, there is also likely a tax issue; perhaps, two sides of the same coin. If a Justice isn't reporting income on his legally required financial disclosure, there is a good chance that something is amiss with his tax reporting as well.

When a Justice receives something of value from a benefactor, the presumption is that it needs to be disclosed under the ethics law either as income or as a gift. Generally speaking, if it is income, the Justice must also report it as income for income tax purposes; and if it is a gift, the donor needs to report it for gift tax purposes—which is why when you are looking at possible ethics violations in situations like this, it is important to know if that income showed up on the tax side or if that gift report showed up on the tax side. That is why Chairman WYDEN's leadership here is so essential.

If this went unreported, that could be a tax law violation. Again, if it is a gift, the Justice needs to disclose it under the ethics law unless it falls under a narrow definition for "personal hospitality"—spending Christmas with your in-laws, for instance, or going on a trip with your college roommates. So either way, the tax question becomes for donors, for gifts, did the benefactor or did the donor report it for gift tax purposes? So you have the income tax reporting issue, the gift tax reporting

issue. And then you have a third issue, which is that these tax filings can also test the veracity of what Justices claim.

Justices Thomas and Alito claim they didn't have to report free jet and yacht travel gifted by billionaires because those gifts, they claimed, were personal hospitality. There were no college roommates or in-laws involved. It is a heck of a stretch to call this personal hospitality. But one of the ways you could test whether it is personal hospitality would be by looking at how the donor of the hospitality treated it on their taxes. It would be a pretty good tell that all that hospitality those Justices received was not so personal if the yacht and jet travel gifted to Justices Thomas and Alito was written off by these billionaires as a tax expense—as a business expense. So there is a lot to be learned from tax filing.

Two other reminders as we go through this. One, it is a crime. It is a crime under 18 U.S. Code section 1001 to file a false sworn statement with the Federal Government. Both judicial disclosures and tax filings are filed under oath.

No. 2, the law requires the Judicial Conference, if there is any question about whether an improper judicial disclosure filing might have been willful, to refer the question of willfulness to the Attorney General for investigation. It is not under the law of the Judicial Conference's job to decide the question of willfulness; it is only to decide if there is a question of willfulness and then refer that to the Attorney General for investigation.

So this can get serious fast, which brings us to Justice Thomas and his RV. When it comes to ethics requirements, there is no question about what the law required here. If part of Justice Thomas's debt was forgiven, he had to report it. The state of the facts based on the documents the Finance Committee has obtained and reviewed is that Justice Thomas never paid back a dollar of principal on \$¼ million loan and that the donor long ago stopped collecting even interest on that loan.

So let's take a look at the law. Justice Thomas likely didn't have to report the loan itself. Justices don't need to report loans secured by a personal vehicle as long as the value of the loan isn't worth more than the vehicle itself.

If Justice Thomas put up the RV as collateral for his loan and didn't obtain more money than the RV was worth, there was no need for him to disclose the loan. But all that changes if any part of the loan was forgiven later on. As the chairman has said, when you collect not \$1 of principal and stop collecting interest, that sure looks like forgiveness of a loan. And a loan you don't pay back is a form of income.

The law requires officials to disclose any income they receive outside of their government salaries, which makes sense if you are trying to expose or prevent corruption. Under the law, if

you receive more than \$200 of income from any one person in a year, you have to disclose that.

Here are the regulations on financial disclosure. These are regs adopted pursuant to law, and they say that income "includes but is not limited to" income from "discharge of indebtedness." And down here, it further says that you must report "discharge of indebtedness."

And if you go to the Tax Code—specifically 26 U.S. Code, section 21, which defines income for tax purposes, subsection 11(a) describes that "income from discharge of indebtedness counts as income." Income from discharge of indebtedness—it is the identical language in the Tax Code and in the judicial reporting regulations.

So a loan whose principal is not repaid is reportable income both under judicial ethics law and under tax law. And the law is crystal clear on this point.

Even Justices are told what the law is on this point. So if you go to the "Filing Instructions for Judicial Officers"—this is what the judge gets that tells them how to comply with their filing requirements regarding these disclosures. Here is what it tells them:

Income . . . The disclosure of the gross amount and the type of income—dividends, rent, interest, or income from discharge of indebtedness—is required.

Disclosure of income from discharge of indebtedness is required.

There is nothing very subtle or complicated about that. It couldn't be more straightforward.

If Justice Thomas failed to report a loan that was no longer being collected with a big balance still due and hence was, as a practical matter, forgiven, he likely violated these requirements.

If he failed to file his taxes accordingly, he also likely violated our tax laws. Either of these—either the tax filing or the filing under the judicial disclosure rules—could amount to a false statement under the Criminal Code.

In the first instance, as to the judicial disclosure filings, the law requires the Judicial Conference to determine if there is reason to believe that Justice Thomas's violation may have been willful, in which case it has a legal obligation to report him to the Attorney General for further investigation to settle the question of willfulness.

I have asked the Judicial Conference to consider exactly these facts, and I hope they will do so. It looks like they are. As they do so, here are some things they should consider:

First, this is not Justice Thomas's first brush with this law. A previous episode of yacht and jet travel gifts to him from Harlan Crow actually went to the Judicial Conference for investigation years ago.

In my subcommittee on the Judiciary Committee, we held a hearing about this with a judge who served on the Judicial Conference at the time and could relate to us what transpired

back then with the Crow to Thomas yacht and jet travel undisclosed gifts.

That episode I would describe as a decent burial, but it is not clear now that, with Thomas back as a repeat offender with the same types of gifts from the same billionaire, that he will get the same courtesies from his fellow judges as he did in episode one of Crow to Thomas yacht and jet travel gifts. Indeed, the latest report from the Judicial Conference—they put out two reports a year. This is their report of proceedings for this past fall; i.e., this is their most recent report of proceedings, dated September 12 of last year. It has this rather Delphic sentence in it:

The Committee was also updated on the status of the ongoing review of public written allegations of errors or omissions in a filer's financial disclosure reports that were referred to it since the Conference's last session.

I don't know of any other judge or Justice who has received public written allegations of errors or omissions in that filer's financial disclosure reports other than Justice Thomas. So although there is no name mentioned here, it looks very much like the Thomas investigation is alive and well in the Judicial Conference. If they should determine that there is a question of willfulness in his failure to file, particularly to the extent that it may involve similar failures in tax filings, it is their legal obligation to present that question to the Attorney General. So it appears that the matter remains under active review, and I would conclude by saying that this is to be continued.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

#### SUPPLEMENTAL FUNDING

Mr. SCHUMER. Madam President, conversations are ongoing. Some issues still need resolution, but we are getting very close on the national security supplemental.

The national security supplemental is so important to enabling us to address multiple crises around the globe. Vladimir Putin has waged war against Ukraine and against Western democracy for nearly 2 years, and America must step up. Israel suffered its bloodiest day last fall at the hands of the terror group Hamas, and millions of innocent Gaza civilians are in need of aid. The Chinese Communist Party threatens to increase tensions in the Indo-Pacific. Our southern border is in urgent need—in urgent need—of fixing.

Addressing these challenges is not easy, but we cannot simply shirk from our responsibilities just because a task is difficult.

#### ORDER OF BUSINESS

So, for the information of Senators, the Senate will be in session and will hold a vote on Monday, February 5. There is no longer a no-vote day. While we are respectful of Members' schedules and try to limit inconveniences, these challenges at the border, in

Ukraine, and in the Middle East are just too great, and we will need to be here working.

Next, as I said, discussions are going well, so I want Members to be aware that we plan to post the full text of the national security supplemental as early as tomorrow, no later than Sunday. That will give Members plenty of time to read the bill before voting on it.

As for the timing of the vote, I plan to file cloture on the motion to proceed to the vehicle on Monday, leading to the first vote on the national security supplemental no later than Wednesday.

#### LEGISLATIVE SESSION

Mr. SCHUMER. Mr. President, I move to proceed to legislative session. The PRESIDING OFFICER (Mr. BOOKER). The question is on agreeing to the motion.

The motion was agreed to.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I move to proceed to executive session to consider Calendar No. 486.

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

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read the nomination of Kurt Campbell, of the District of Columbia, to be Deputy Secretary of State.

#### CLOTURE MOTION

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

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

The senior assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 486, Kurt Campbell, of the District of Columbia, to be Deputy Secretary of State.

Charles E. Schumer, Benjamin L. Cardin, Alex Padilla, Tammy Baldwin, Jeff Merkley, Mazie Hirono, Tim Kaine, Richard Blumenthal, Tina Smith, Robert P. Casey, Jr., Jack Reed, Margaret Wood Hassan, Richard J. Durbin, Chris Van Hollen, Christopher A. Coons, Jeanne Shaheen, Christopher Murphy.

#### LEGISLATIVE SESSION

Mr. SCHUMER. Mr. President, I move to proceed to legislative session. The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I move to proceed to executive session to consider Calendar No. 473.

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

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read the nomination of Amy M. Baggio, of Oregon, to be United States District Judge for the District of Oregon.

#### CLOTURE MOTION

Mr. SCHUMER. 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. 473, Amy M. Baggio, of Oregon, to be United States District Judge for the District of Oregon.

Charles E. Schumer, Richard J. Durbin, Brian Schatz, Mazie K. Hirono, Tina Smith, Gary C. Peters, Amy Klobuchar, Raphael G. Warnock, Catherine Cortez Masto, Alex Padilla, Mark R. Warner, Tim Kaine, Sheldon Whitehouse, Martin Heinrich, Christopher A. Coons, Margaret Wood Hassan, Peter Welch.

Mr. SCHUMER. I ask unanimous consent that the mandatory quorum calls for the cloture motions filed today, February 1, be waived.

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

Mr. SCHUMER. I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

#### IRAN

Mr. CORNYN. Mr. President, tensions in the Middle East have escalated dramatically since Hamas, an Iranian-backed terrorist organization, launched its war on Israel on October 7 of last year, killing innocent men, women, and children and taking and still holding up to 132 hostages.

Over the last few months, another Iranian proxy—Iran-backed militias—intensified their attacks throughout the region.

There are Houthis in Yemen, there is Hezbollah in Lebanon, and, of course, as I mentioned, there are the attacks against Americans and American interests by Iranian proxies in Iraq and Syria. These conflicts are playing out thousands of miles away from here, but we are not just a distant and disinterested spectator. Thousands of American troops are stationed in the region—not engaged in combat operations but in carrying out a range of security and intelligence missions and helping the residents and citizens of those nations defend themselves and

provide a stabilizing force against what is the No. 1 state sponsor of terrorism, which is the Iranian regime.

The presence of these American troops is vital to the stability of the region and, as I said, our own security interests. We may engage in wishful thinking, thinking that what happens over there doesn't affect us here. You would think that after 9/11—albeit it occurring some 23 years ago now—it would have awakened us to the reality that what does happen in the Middle East does not stay in the Middle East. So it is important for us to provide stability operations and assistance, train-and-assist operations, for our allies in the region in a very dangerous neighborhood.

Since mid-October, Iranian-backed militia groups have attacked U.S. troops in the region more than 165 times—165 times. In less than 4 months, U.S. troops have been targeted 165 times.

This last weekend, the situation escalated dramatically when Iranian proxies targeted a U.S. military post in Jordan known as Tower 22. Tragically, these proxies of the Iranian regime—these militias—used a drone to attack the base, killing three American heroes as they slept.

SGT William Rivers, SGT Kennedy Sanders, and SGT Breonna Moffett made the ultimate sacrifice in service to their country that night.

These brave individuals were the first American servicemembers killed by enemy fire since the start of the Israel-Hamas war last October, but they are not the first Americans who have been targeted by the Iranian regime.

The truth is, as you look back at the changes in Iran since the revolution in 1979, the Iranian regime has been in what you might call a low-grade war against America and American interests for the last 45 years.

Last month, two Navy SEALs were killed while seizing a vessel carrying Iranian-made arms intended for the Houthi rebels in Yemen. These brave SEALs and their comrades prevented the Houthis from receiving ballistic missiles and cruise missile components that could have been used to target U.S. forces or commercial traffic in the Red Sea or the nation of Israel.

Today, I know our country mourns alongside of the families of each of those heroes, and we pray for the safety of the servicemembers who continue to serve our Nation providing these stability missions in the Middle East.

But, as I said, the violence that we are seeing and experiencing in recent days is only a tragic continuation of Iran's decades-long proxy war against the United States. I said Iran is the No. 1 state sponsor of terrorism in the world. That is a fact. And the reason they operate through proxies is because they don't want to directly confront the United States because they fear American military might, as they should. But what they do is they will carry out terrorist attacks, having

been equipped and trained and provided weapons by the Iranian regime, against innocent civilians and American servicemembers in the region.

Of course, relations between the United States and Iran have been extremely fraught and violent since the 1979 Iranian Revolution, when the country quickly transformed from a pro-Western democracy to an anti-Western theocracy. Its Supreme Leader is driven by a radical ideology and a deep hatred of the United States and the freedoms that we enjoy. He even referred to the United States as the "Great Satan."

As we have witnessed over the last four-plus decades, that shift from a pro-democracy to an anti-American policy carried with it very serious consequences. Of course, many of us remember the Iranian hostage crisis. The movie "Argo" was written about getting some of the 52 Americans out of Iran who had been held hostage for up to a year.

Four years later, the Iranian-backed terror group Hezbollah in Lebanon bombed a Marine Corps barracks, killing 241 American servicemembers.

And then, in 1996, Iran orchestrated an attack on U.S. Air Force personnel in Khobar, Saudi Arabia. A truck bomb was detonated next to a building housing American troops, killing 19 U.S. Air Force personnel and a local Saudi citizen and wounding 498 others.

Then, during the war in Iraq, from 2003 to 2011, it became common knowledge that Iran was supplying the most dangerous form of munitions—explosively formed penetrators—that penetrate the armor of humvees and other up-armored vehicles that the U.S. forces were in and planted numerous IEDs, killing hundreds of American troops.

And today, as our country is mourning the troops who were killed in Jordan last weekend at the hand of Iranian proxies, we need to be absolutely clear-eyed about the fact that this is not a new innovation. This isn't something that just happened in the last 2 days. This has been going on for 45 years.

To be clear, this is not an exhaustive list of the violence Iran has unleashed against the United States and our interests. Sadly, this just scratches the surface. But it is important to look back at the history to understand the Iranian intentions toward the United States and our allies.

Tehran has consistently waged acts of war against the United States. It has gone to great lengths to export terrorism around the globe, and it has engaged in gross human rights violations against its own people.

Iran's Islamic Revolutionary Guard Corps, otherwise known as IRGC, is the loyal henchman responsible for leading these efforts. It is a branch of the Iranian Armed Forces that tries to squash democracy movements, both at home and abroad, by pushing its extreme ideology beyond Iran's borders. They pro-

vide training and equipment to terrorists which they use to kill innocent civilians—not just in Israel, not just in Syria and Iraq, not just in Lebanon, but even in the southern part of the Arabian Peninsula, in Yemen.

The IRGC wields vast power and influence, and it uses its capabilities to spark turmoil throughout the Middle East. As I said, it provides arms, training, and foot soldiers to these terrorist groups.

As the world has seen in recent months, those attacks are quickly intensifying. It is a grave cause for concern in a very dangerous neighborhood, the sort of escalation that we are seeing by Iran via its proxies. But the only responsible answer is for the United States to take swift and decisive action to respond to these attacks, because, if we don't, we are sure to be met with more.

Sadly, I don't think the Biden administration has responded to this attack with the sort of decisiveness that it needs. As far as we know, the administration hasn't taken any action to target Iran's leaders, the IRGC, or the Quds Force—militarily, financially, or otherwise.

We are told that the President has decided what he is going to do, but he is not sharing that with us. And, I fear, as more and more time goes by, the Iranian regime will not connect the killing of three American servicemembers in Iraq by Shia militias backed by Iran with whatever the subsequent kinetic attack against Iran's forces are.

We are all watching to see what the coming days may hold, but I would like to encourage President Biden that, when it comes to Iran, there is no benefit to applying anything less than maximum pressure.

Now, we are not talking about American boots on the ground. We are not talking about another war. We are talking about deterrence.

So if there is no price to be paid for these repeated attacks against civilians and American servicemembers, they are going to continue. This is not a cost-benefit analysis made by the regime; this is pursuant to their radical ideology where they want to destroy Israel. And they call America the "Great Satan"; so you know they don't mean us well.

Iran's leaders must learn that the attacks on U.S. servicemembers and American interests will be returned in kind. Regardless of who carries out an attack—Iran or its proxies—the Iranian regime must be brought to account. It is the head of the octopus, and the tentacles are the proxies they use to commit mayhem and terrorism around the region. The only way to achieve deterrence and to prevent this conflict from widening is to teach the Iranian regime that these sorts of unilateral terrorist attacks will not be tolerated.

Given the escalating tensions between our countries, President Biden can't continue promoting the same



weak policies that he has embraced over the last few years, trying to appease the Iranian regime because he wants to get them back in the Joint Comprehensive Plan of Action, or the Iran nuclear deal, negotiated under President Obama.

He has lifted sanctions, which have allowed Iran to supply China and other countries oil, which has helped bolster their economy. They have continued to enrich uranium, getting closer and closer to a breakout for a nuclear weapon. As dangerous as Iran and its proxies are now, can you imagine what it would be like if they had a functioning nuclear weapon in the region?

What would the response be of countries like Saudi Arabia, UAE, and other Arab countries that Iran has historically fought for control—not just geographic control but control as the leader of the Muslim world, according to their own brand of Islam.

Unfortunately, in the messages that President Biden has sent over the last few years, from the disastrous withdrawal in Afghanistan without even notifying our allies—just pulling the plug and having the Taliban march in without a shot being fired—to the attempts to appease Iran in order to get back to the Iran nuclear deal, to the foolish decision to unfreeze \$6 billion in Iranian assets, the Biden administration has projected an image of weakness when it comes to foreign policy.

These missteps have sent a message to the Supreme Leader that he can continue to push until we push back. The Supreme Leader will naturally continue to test the limits of this administration to see how far he can go. We know what his ultimate aims are. We know the methods by which they act, and we don't need—we don't want—any more dead Americans because Iran continues to attack Americans and American allies in the Middle East.

The root and foundation of all of this violence and instability in the Middle East is Iran. We can talk about Hezbollah, Hamas, the Houthis, and the Shia militias, but it is Iran that finances, equips, and trains these terrorists. That is true today, and it has been true literally for the last 45 years. From the Iran hostage crisis to the regime's outright support of terrorist groups in the Middle East, to the latest attack that killed three U.S. troops, Iran has demonstrated over and over and over again its unequivocal hatred of the United States.

President Biden cannot hit Iran with kid gloves or allow the attacks on our servicemembers to go unanswered. It is a lesson that we have to learn, apparently, from history, time and time again, that appeasement is not a viable strategy when it comes to autocrats and dictators and terrorists. Appeasement doesn't work, and it is time for the President to impose crippling consequences on the Iranian regime, and I am talking about on the instruments of their terrorism, which is the IRGC

and the Quds Force, which would be a good place to start.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Washington, the President pro tempore of the U.S. Senate.

SUMMER EBT

Mrs. MURRAY. Mr. President, I have been fighting for over a decade to establish a new summer nutrition program to help end child hunger, and I come to the floor today to celebrate the tremendous progress we have made in that effort because, this year, legislation I fought to pass in 2022 based on my Stop Child Hunger Act will go into effect, establishing a permanent summer nutrition benefit for struggling families—Summer EBT, electronic benefit transfer.

Basically, that means millions of parents who rely on free or reduced-price meals to feed their kids during the school year will get help feeding their kids over the summer too. This has been a long time coming, and it is a huge deal that now this program is becoming permanent.

Child hunger isn't just something I heard about from parents across my home State of Washington; it is personal to me. I remember what it was like when my family fell on hard times when I was young. Growing up, my parents had seven kids. It was never easy, but when my dad could no longer work because he was diagnosed with multiple sclerosis, it wasn't just hard, it was impossible.

Fortunately for all of us, our country didn't just say "tough luck." We got support. Food stamps helped put food on our table until my mom was able to go back to school and get a job. That was the difference between our family getting by or going hungry.

I want to make sure that we are showing up for families today in the same way because the painful reality is that right now in this country, we have some 30 million kids for whom the free or reduced-price meals they get at school are the difference between them eating a real meal that day or going hungry.

When summer comes, instead of feeling relief at getting a break from homework, many of these kids and their parents are worried about where they are going to get their next meal, until school starts again.

It is heartbreaking, and in the richest country in the world, it is unacceptable. That is why back in 2010 I helped fund the first of its kind pilot program for summer EBT at USDA. The idea is pretty simple: Create a program that gives families benefits they can use at the grocery store to help feed their kids over the summer. One of the pilot sites was in Vancouver, WA. Do you know what? The program worked. Those benefits decreased the number of kids with very low food security by about a third and supported a much healthier diet because they got more fruits and vegetables.

So to build off the success of that pilot program, in 2014, I introduced my

Stop Child Summer Hunger Act. Rigorous evaluations made clear that benefit worked.

Still, even if it seems like common sense and basic humanity that kids shouldn't go hungry, it has been a very long journey to finally get this idea passed into law.

I reintroduced my bill several times with different colleagues. Then the pandemic struck and threw struggling families into even greater food insecurity. Everyone here remembers the enormous number of cars lined up outside food banks across the country in the early days of the pandemic.

So I started working with my colleagues to establish a temporary nutrition program to see families through that crisis in the relief packages that we passed during the worst of the pandemic. In doing so, we were also able to show how necessary that kind of support is and how effective it is and establish a foundation that we then built on to pass a permanent summer nutrition program into law as part of our omnibus government funding bill at the end of 2022.

I have to pause and really, really thank my great friend and colleague, the senior Senator from Michigan. She chairs the Senate Agriculture Committee, and she led on negotiating this big win for kids.

Now that bill is going into effect, and what it means for families is that this summer, in participating States, like my home State of Washington, families whose kids qualify for free or reduced-price school meals during the school year will receive a preloaded nutrition benefits card worth about \$120 per child to buy groceries over the summer. Unlike the pandemic-era program we passed, this program is permanent. Those benefits will work similar to SNAP, which means parents can use them to buy food at grocery stores, farmers markets, and more.

In my home State alone, we are talking half a million kids who can benefit from this program. That is a meaningful step towards ending child hunger in America. But, as always, we have more work to do. No child should ever go hungry in the United States of America.

While I don't think that is a controversial idea, my message to all my colleagues who agree is that achieving this takes more than words; it takes action. That means giving a hand to families like mine who fall on hard times. It means making sure parents who rely on school lunches for their kids can keep them fed in the summer months and fully funding WIC, which is a lifeline to so many women and infants. That is something I am very focused on right now, and I will not let up until we see that through.

So I am here today not just to celebrate the important progress which I fought for years to make on fighting summer hunger but to make clear that I am not done fighting. I am going to keep pushing to make sure that no

child goes hungry—no child—and that every family gets the same kind of support my family got when I was growing up.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### ISRAEL

Mrs. GILLIBRAND. Mr. President, this is my 10th floor speech since the October 7 attack. Ten times I have stood here and told the hostages' stories. Ten times I have expressed their families' endless pain. But for every minute that I have stood here, the hostages and their families have lived lifetimes, an eternity in each moment.

I have met so many families whose entire universe has been paralyzed. I have met mothers who are despondent, fathers who are desperate. They are living between hope and despair. They are asking themselves: Is my father alive? Is my daughter being raped every day? Is my husband being mistreated? Is my sister being fed?

I recently met a family who says several of their loved ones were kidnapped by Hamas. Two escaped, and one was released, but one, 39-year-old Carmel Gat, is still being held captive.

She is an occupational therapist by training. Carmel had recently returned from a 3-month trip to India and was staying with her parents in Kibbutz Be'eri.

On the morning of October 7, terrorists broke into her home. They took her mother to a street corner in the kibbutz and brutally murdered her. A few minutes later, they put Carmel into a car and drove her by that corner. That is how she learned her mother was killed.

Released hostages who were with her told Carmel's family about the cruelty and the viciousness of the guards, but they also told them how brave Carmel was, defending and caring for the children being held in captivity, keeping them safe, teaching them how to turn within themselves, to meditate, to do yoga, to breathe, to give them some tools just to survive.

Carmel was expected to be released on the eighth day of the November cease-fire, but just a few hours before it was her time to come home, the deal collapsed. Her family said they still haven't heard anything about her condition—whether she is alive, whether she is suffering, whether she will come home.

Carmel is just one of the roughly 130 people still being held hostage by Hamas, including as many as 6 Americans. But she, like every other person whose life has been torn apart by this conflict, is not a statistic. She is a daughter. She is loved. Our hearts are

with her, and we will not rest until she is home.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

#### NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION ACT

Mr. SCHATZ. Mr. President, for centuries, Native people have had everything stolen from them—their lands, their water, their language, their children.

It wasn't that long ago it was the official policy of the U.S. Government to terminate—to terminate—the existence of Tribes and to forcibly assimilate their citizens. And a big part of that unrelenting, inhumane policy was that the remains of Native ancestors and culturally significant items were also taken from them, not with permission, but by force; not discovered, but stolen on battlefields and in cemeteries, under the cover of darkness or under guise of academic research.

Think about that. The U.S. Government literally stole bones. Soldiers and agents overturned graves and took whatever they could find. And these were not isolated incidents. They happened all across the country. In my home State of Hawaii, the remains of Native Hawaiians—or "iwi kupuna," as they are called—were routinely pillaged without regard for the sanctity of burials or Native Hawaiian culture.

All of it was brought to some of the most venerable institutions at home and abroad to be studied like biological specimens, displayed in museum exhibits as if they are paintings on loan or squirreled away in a professor's office closet never to be seen again.

The theft of hundreds of thousands of remains and items over generations was unconscionable in and of itself, but the legacy of that cruelty continues to this very day because these museums and universities continue to hold onto these sacred items in violation of everything that is right and moral and, more importantly, in violation of Federal law.

To remedy this injustice, Congress passed the Native American Graves Protection and Repatriation Act, or NAGPRA, in 1990. It required museums and universities to quickly return the remains and the items that they were holding that belonged to Native Hawaiians, Alaska Natives, and American Indians.

At the time, the Congressional Budget Office anticipated that it would take about 5 years to complete the process of repatriation. Thirty-four years later, it is nowhere close to being done. In fact, experts recently estimated that at the current rate, it may take up to 70 more years to complete the process. Why? Because these institutions, all otherwise well-respected and sought after, have done everything in their power to obstruct and obfuscate when confronted about their collections.

They act as if this is some sort of impossible task, either administratively or determining the lineage or provi-

dence of an item. They purposefully mischaracterize items as "culturally unidentifiable." Culturally unidentifiable.

They engage with Native communities as little as possible. They "borrow" collections from one another so they can never actually be held responsible for them. And maybe the most outrageous of all excuses, they claim that Tribes and Native groups lack the ability to take care of their own things—lack the ability to take care of their own items of cultural patrimony, bones stolen from graves.

This smells of the worst kind of colonialism, with a thin veneer of progressive ideology and verbiage. University provosts and presidents can do all of the land acknowledgements that they want. They can post lengthy statements about equity on their websites and champion any number of progressive causes, but that rings hollow when they are at the same time clinging onto vast collections of stolen items because of a perverse, patronizing sense of ownership.

This is not morally ambiguous. There is nothing to ponder here. The fact is these items do not belong in museums or universities or to science or academia. They belong to the Native people from which they came, which is why the Committee on Indian Affairs, where I am chair, held an oversight hearing on this issue almost 2 years ago and demanded explanations from the foremost offenders about their delays in repatriating these items.

They are located all over the country: Ohio History Connection; the Illinois State Museum; Harvard University; University of California, Berkeley; and Indiana University. Together, these five institutions still hold at least 30,000 Native ancestral remains. These institutions have been responsive, and many have accelerated their repatriation efforts since.

Earlier this month, Harvard, which has the third largest collection of these items in the country, pledged to cover the travel expenses of Native leaders to facilitate the repatriation process. Other museums, including the American Museum of Natural History and the Field Museum, have recently announced steps to finally comply with the Federal law. And yet there are still more than 70 other institutions holding almost 58,000 ancestral remains. That is not counting the additional hundreds of thousands of cultural items in their collections.

These museums and universities are everywhere: the University of Tennessee; the University of Kentucky; the University of Alabama; the University of Arizona; the University of Florida; the University of Missouri, Columbia; the University of Oklahoma; the Center for American Archaeology in Illinois; the University of Texas at Austin; the Milwaukee Public Museum; and so on. This is just a small sample, and I will enter the full list into the RECORD.

But the point is this: We are not done. Our work is not over. These are

supposedly liberal institutions who have no problem parroting whatever progressive expression is in vogue. And yet at the same time, they continue a colonial project against the explicit and repeated wishes of Native people. If you say you are for equal justice, for doing right by people of all backgrounds, then act like it. Return these remains and items to the Native people they belonged to all along.

Some of the challenges when it comes to addressing past injustices in American history can seem so big as to be totally overwhelming. Where do you

start? But this is not one of them. Returning these items matters, and the good news is it is imminently doable, but doable only if we collectively agree that getting this right is a necessary condition for justice to be restored.

Doing this alone will not right past wrongs or somehow erase a long and brutal history of injustice. Of course, it won't. Native people still need money for water and electricity and healthcare. They still, as ever, need the unimpeded right to self-determination. But the least we can do—and I mean that, the least we can do—is enable

them to tell their own stories and to define themselves, for themselves, to the rest of the world.

Give the items back. Comply with Federal law. Hurry. Devote resources to this. Demonstrate in three dimensions that you care about the values that you espouse.

Mr. President, I ask unanimous consent that the list of institutions in possession of the repatriated remains be printed in the RECORD.

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

Rank	Institution	Unrepatriated Ancestral Remains	Percent of National Total (97,622)
1	Ohio History Connection	7167	7.34
2	Illinois State Museum	7110	7.28
3	Harvard University	5680	5.82
4	University of California, Berkeley	4959	5.08
5	Indiana University	4838	4.96
6	University of Tennessee, Knoxville	3929	4.02
7	University of Kentucky	2807	2.88
8	Department of the Interior	3672	3.76
9	University of Alabama	2732	2.80
10	University of Arizona	2624	2.69
11	University of Florida	2620	2.68
12	University of Missouri, Columbia	2451	2.51
13	University of Oklahoma	2324	2.38
14	Department of Defense	1950	2.00
15	Center for American Archaeology, Kampsville Archaeological Center	1947	1.99
16	University of Texas at Austin	1905	1.95
17	American Museum of Natural History	1882	1.93
18	Milwaukee Public Museum	1600	1.64
19	Florida Department of State	1447	1.48
20	Field Museum	1298	1.33
21	State Museum of Pennsylvania	908	0.93
22	Southern Illinois University, Carbondale	846	0.87
23	Arizona State University	786	0.81
24	University of Michigan	781	0.80
25	Museum of New Mexico, Museum of Indian Arts and Culture	779	0.80
26	Department of Agriculture	769	0.79
27	Auburn University	767	0.79
28	University of Illinois, Urbana-Champaign	761	0.78
29	Virginia Department of Historic Resources	711	0.73
30	Carnegie Museum of Natural History	646	0.66
31	University of North Carolina at Chapel Hill	641	0.66
32	New York State Museum	584	0.60
33	Univ. of New Mexico	583	0.60
34	Mississippi Dept. of Archives and History	551	0.56
35	Cincinnati Museum Center	520	0.53
36	Florida State Univ.	508	0.52
37	Nassau County Dept. of Parks and Recreation	488	0.50
38	Cleveland Museum of Natural History	477	0.49
39	Univ. of Kansas	458	0.47
40	Dayton Museum of Natural History	438	0.45
41	San Jose State Univ.	429	0.44
42	Natural History Museum of Utah	416	0.43
43	Univ. of Pennsylvania	402	0.41
44	Wickliffe Mounds State Historic Site	383	0.39
45	Museum of Texas Tech Univ.	377	0.39
46	Tennessee Dept. of Env't and Conservation	374	0.38
47	Yale Univ.	366	0.37
48	West Virginia Division of Culture and History	365	0.37
49	West Texas A and M Univ.	362	0.37
50	California Dept. of Parks and Recreation	359	0.37
51	San Francisco State Univ.	359	0.37
52	Western Kentucky Univ.	351	0.36
53	Los Angeles County Natural History Museum	343	0.35
54	Kansas State Historical Society	305	0.31
55	Missouri Dept. of Natural Resources	301	0.31
56	Univ. of Texas at San Antonio	294	0.30
57	Gilcrease Museum	271	0.28
58	Sonoma State Univ.	267	0.27
59	North Carolina Office of State Archaeology	262	0.27
60	Univ. of South Carolina, SCIAA	261	0.27
61	Univ. of Louisville	259	0.27
62	Ball State Univ.	240	0.25
63	Wisconsin Historical Society	239	0.24
64	Indiana State Univ.	232	0.24
65	Univ. of Toledo	210	0.22
66	Univ. of Alaska Museum of the North	197	0.20
67	Mississippi State Univ.	196	0.20
68	Missouri Dept. of Transportation	196	0.20
69	Maryland Historical Trust	190	0.19
70	California Univ. of Pennsylvania	183	0.19
71	Univ. of California, Davis	172	0.18
72	HistoryMiami Museum	160	0.16
73	Univ. of Wisconsin, Oshkosh	159	0.16
74	East Carolina Univ.	152	0.16
75	Beloit College	145	0.15
Total		87,721	89.86
Grand Total		97,622	

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. SCHATZ. Mr. President, I ask unanimous consent that the Senate

proceed to legislative session and be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

ARMS SALES NOTIFICATION

Mr. CARDIN. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon

such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

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

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

DEFENSE SECURITY  
COOPERATION AGENCY,  
Washington, DC.

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

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 23-01, concerning the Air Force's proposed Letter(s) of Offer and Acceptance to the Government of Greece for defense articles and services estimated to cost \$8.6 billion. We will issue a news release to notify the public of this proposed sale upon delivery of this letter to your office.

Sincerely,

JAMES A. HURSCH,  
Director.

Enclosures.

TRANSMITTAL NO. 23-01

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

(i) Prospective Purchaser: Government of Greece.

(ii) Total Estimated Value: Major Defense Equipment\* \$6.0 billion

Other \$2.6 billion

TOTAL \$8.6 billion

Funding Source: National Funds

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

Major Defense Equipment (MDE):

Forty (40) F-35 Joint Strike Fighter Conventional Take Off and Landing (CTOL) Aircraft

Forty-two

(42) Pratt & Whitney F135-PW-100 Engines (40 installed, 2 spares).

Non-MDE: Also included are AN/PYQ-10 Simple Key Loaders; KGV-135A embedded secure communications devices; Cartridge Actuated Devices/Propellant Actuated Devices (CAD/PAD); impulse cartridges, chaff, and flares; Full Mission Simulators and system trainers; electronic warfare systems and Re-programming Lab support; logistics management and support systems; threat detection, tracking, and targeting systems; Contractor Logistics Support (CLS); classified software and software development, delivery and integration support; transportation, ferry, and refueling support; weapons containers; aircraft and munitions support and support equipment; integration and test support and equipment; aircraft engine component improvement program (CIP) support; secure communications, precision navigation, and cryptographic systems and equipment; Identification Friend or Foe (IFF) equipment; spare and repair parts, consumables, and ac-

cessories, and repair and return support; minor modifications, maintenance, and maintenance support; personnel training and training equipment; classified and unclassified publications and technical documents; warranties; and U.S. Government and engineering, technical, and logistics support services, studies, and surveys; and other related elements of logistics and program support.

(iv) Military Department: Air Force (GR-D-SAD).

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

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

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

(viii) Date Report Delivered to Congress: January 26, 2024.

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

POLICY JUSTIFICATION  
Greece F-35 Aircraft

The Government of Greece has requested to buy up to forty (40) F-35 Joint Strike Fighter Conventional Take Off and Landing (CTOL) aircraft; and forty-two (42) Pratt & Whitney F135-PW-100 engines (40 installed, 2 spares). Also included are AN/PYQ-10 Simple Key Loaders; KGV-135A embedded secure communications devices; Cartridge Actuated Devices/Propellant Actuated Devices (CAD/PAD); impulse cartridges, chaff, and flares; Full Mission Simulators and system trainers; electronic warfare systems and Re-programming Lab support; logistics management and support systems; threat detection, tracking, and targeting systems; Contractor Logistics Support (CLS); classified software and software development, delivery and integration support; transportation, ferry, and refueling support; weapons containers; aircraft and munitions support and support equipment; integration and test support and equipment; aircraft engine component improvement program (CIP) support; secure communications, precision navigation, and cryptographic systems and equipment; Identification Friend or Foe (IFF) equipment; spare and repair parts, consumables, and accessories, and repair and return support; minor modifications, maintenance, and maintenance support; personnel training and training equipment; classified and unclassified publications and technical documents; warranties; and U.S. Government and engineering, technical, and logistics support services, studies, and surveys; and other related elements of logistics and program support. The estimated total cost is \$8.6 billion.

This proposed sale will support the foreign policy goals and national security of the United by improving the air capabilities and interoperability of a NATO Ally that is a force for political and economic stability in Europe.

The proposed sale will allow Greece to modernize its air force and improve Greece's ability to provide for the defense of its airspace, contribute to NATO missions to preserve regional security and defend NATO Allies, and maintain interoperability with U.S. and NATO forces. The F-35 will offset the increasing obsolescence of other Hellenic Air Force aircraft such as the F-4 and Mirage 2000. Greece will have no difficulty absorbing these articles and services into its armed forces.

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

The principal contractors will be Lockheed Martin Aeronautics Company, Fort Worth, TX, and Pratt & Whitney Military Engines, East Hartford, CT. The purchaser typically

requests offsets. Any offset agreement will be defined in negotiations between the purchaser and the contractor.

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

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

TRANSMITTAL NO. 23-01

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

Annex Item No. vii

(vii) Sensitivity of Technology:

1. The F-35A Conventional Take Off and Landing (CTOL) aircraft is a single seat, single engine, all-weather, stealth, fifth-generation, multirole aircraft. It contains sensitive technology including the low observable airframe/outer mold line, the Pratt and Whitney F135 engine, AN/APG-81 radar, an integrated core processor central computer, a mission systems/electronic warfare suite, a multiple sensor suite, technical data/documentation, and associated software.

a. The Pratt and Whitney F135 engine is a single 40,000-lb thrust class engine designed for the F-35 and assures highly reliable, affordable performance. The engine is designed to be utilized in all F-35 variants, providing unmatched commonality and supportability throughout the worldwide base of F-35 users.

b. The AN/APG-81 Active Electronically Scanned Array (AESA) is a high processing power/high transmission power electronic array capable of detecting air and ground targets from a greater distance than mechanically scanned array radars. It also contains a synthetic aperture radar (SAR), which creates high-resolution ground maps, provides weather data to the pilot, and provides air and ground tracks to the mission system, which uses it as a component to fuse sensor data.

c. The Electro-Optical Targeting System (EOTS) provides long-range detection and tracking as well as an infrared search and track (IRST) and forward-looking infrared (FLIR) capability for precision tracking, weapons delivery, and bomb damage assessment (BDA). The EOTS replaces multiple separate internal or podded systems typically found on legacy aircraft.

d. The Electro-Optical Distributed Aperture System (EODAS) provides the pilot with full spherical coverage for air-to-air and air-to-ground threat awareness, day/night vision enhancements, a fire control capability and precision tracking of wingmen/friendly aircraft. The EODAS provides data directly to the pilot's helmet as well as the mission system.

e. The F-35 Electronic Warfare (EW) system is a reprogrammable, integrated system that provides radar warning and electronic support measures (ESM) along with a fully integrated countermeasures (CM) system. The EW system is the primary subsystem used to enhance situational awareness, targeting support and self-defense through the search, intercept, location, and identification of in-band emitters and to automatically counter IR and RF threats.

f. The F-35 Command, Control, Communications, Computers and Intelligence/ Communications, Navigation, and Identification (C4I/CNI) system provides the pilot with unmatched connectivity to flight members, coalition forces and the battlefield. It is an integrated subsystem designed to provide a broad spectrum of secure, anti-jam voice and data communications, precision radio navigation and landing capability, self-identification, beyond visual range target identification, and connectivity to off-board

sources of information. It also includes an inertial navigation and global positioning system (OPS) for precise location information. The functionality is tightly integrated within the mission system to enhance efficiency.

g. The F-35 C4I/CNI system includes two data links: the Multi-Function Advanced Data Link (MADL) and Link 16. The MADL is designed specifically for the F-35 and allows for stealthy communications among F-35s. Link-16 is an advanced command, control, communications, and intelligence (C3I) system incorporating jam-resistant, digital communication links for exchange of near real-time tactical information, including both data and voice, among air, ground, and sea elements. It provides the warfighter key theater functions such as surveillance, identification, air control, weapons engagement coordination, and direction for all services and allied forces. Link-16 equipment allows the F-35 to communicate with legacy aircraft using widely-distributed J-series message protocols.

h. The F-35 Autonomic Logistics Global Sustainment (ALGS) provides a fully integrated logistics management solution. ALGS integrates a number of functional areas, including supply chain management, repair, support equipment, engine support, and training. The ALGS infrastructure employs a state-of-the-art information system that provides real-time, decision-worthy information for sustainment decisions by flight line personnel. Prognostic health monitoring technology is integrated with the air system and is crucial to predictive maintenance of vital components.

i. The F-35 Autonomic Logistics Information System (ALIS) provides an intelligent information infrastructure that binds all the key concepts of ALGS into an effective support system. ALIS establishes the appropriate interfaces among the F-35 Air Vehicle, the warfighter, the training system, government information technology (IT) systems, and supporting commercial enterprise systems. Additionally, ALIS provides a comprehensive tool for data collection and analysis, decision support, and action tracking.

j. The F-35 Training System includes several training devices to provide integrated training for pilots and maintainers. The pilot training devices include a Full Mission Simulator (FMS) and Deployable Mission Rehearsal Trainer (DMRT). The maintenance training devices include an Aircraft Systems Maintenance Trainer (ASMT), Ejection System Maintenance Trainer (ESMT), Outer Mold Line (OML) Lab, Flexible Linear Shaped Charge (FLSC) Trainer, F135 Engine Module Trainer and Weapons Loading Trainer (WLT). The F-35 Training System can be integrated so both pilots and maintainers learn in the same Integrated Training Center (ITC). Alternatively, the pilots and maintainers can train in separate facilities (Pilot Training Center and Maintenance Training Center).

k. Other subsystems, features, and capabilities include the F-35's low observable air frame, Integrated Core Processor (ICP) Central Computer, Helmet Mounted Display System (HMDS), Pilot Life Support System (PLSS), Off-Board Mission Support (OMS) System, and publications/maintenance manuals. The HMDS provides a fully sunlight readable, biocular display presentation of aircraft information projected onto the pilot's helmet visor. The use of a night vision camera integrated into the helmet eliminates the need for separate Night Vision Goggles. The PLSS provides a measure of Pilot Chemical, Biological, and Radiological Protection through use of an On-Board Oxygen Generating System (OBOGS); and an escape system that provides additional protec-

tion to the pilot. OBOGS takes the Power and Thermal Management System (PTMS) air and enriches it by removing gases (mainly nitrogen) by adsorption, thereby increasing the concentration of oxygen in the product gas and supplying breathable air to the pilot. The OMS provides a mission planning, mission briefing, and a maintenance/intelligence/tactical debriefing platform for the F-35.

2. The Electronic Warfare Reprogramming Lab is used by U.S. Government engineers in the reprogramming and creation of shareable Mission Data Files for foreign F-35 customers.

3. The AN/PYQ-10 Simple Key Loader is a portable, hand-held device used for securely receiving, storing, and transferring data between compatible cryptographic and communications equipment.

4. The KGV-135A is a high-speed, general purpose encryptor/decryptor module used for wide-band data encryption.

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

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

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

8. All defense articles and services listed in this transmittal have been authorized for release and export to Greece.

CERTIFICATION PURSUANT TO 620C(d) OF THE FOREIGN ASSISTANCE ACT OF 1961, AS AMENDED

Pursuant to Section 620C(d) of the Foreign Assistance Act of 1961, as amended (the Act), Executive Order 12163, State Department Delegation of Authority No. 293-2, and State Department Delegation of Authority 510; I hereby certify that the furnishing to Greece of F-35 aircraft and related defense articles and services is consistent with the principles contained in Section 620C(b) of the Act.

This certification will be made part of the notification to Congress under Section 36(b) of the Arms Export Control Act, as amended, regarding the proposed sale of the abovementioned articles and services and is based on the justification accompanying such notification, of which such justification constitutes a full explanation.

ARMS SALES NOTIFICATION

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

In keeping with the committee's intention to see that relevant information is still available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications

that have been received. If the cover letter references a classified annex, then such an annex is available to all Senators in the office of the Foreign Relations Committee, room SD-423.

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

DEFENSE SECURITY  
COOPERATION AGENCY,  
Washington, DC.

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

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 23-07, concerning the Air Force's proposed Letter(s) of Offer and Acceptance to the Republic of Türkiye for defense articles and services estimated to cost \$23.0 billion. We will issue a news release to notify the public of this proposed sale upon delivery of this letter to your office.

Sincerely,

JAMES A. HURSCH,  
Director.

Enclosures.

TRANSMITTAL NO. 23-07

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

(i) Prospective Purchaser: Republic of Türkiye.

Total Estimated Value:  
Major Defense Equipment\* \$15.3 billion.  
Other \$7.7 billion.  
Total \$23.0 billion.

Funding Source: National Funds.

(ii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase: The Republic of Türkiye has requested to buy 40 new F-16 Block 70 aircraft and to modernize 79 existing F-16 aircraft to V-Configuration. The request includes:

Major Defense Equipment (MDE):  
Thirty-two (32) F-16 C Block 70 Aircraft.  
Eight (8) F-16 D Block 70 Aircraft.  
Forty-eight (48) F110-GE-129D Engines (40 installed, 8 spares).

One hundred forty-nine (149) Improved Programmable Display Generators (iPDG) (40 installed, 10 spares, 99 for modernization program (79 installed, 20 spares)).

One hundred forty-nine (149) AN/APG-83 Active Electronically Scanned Array (AESA) Scalable Agile Beam Radars (SABR) (40 installed, 10 spares, 99 for modernization program (79 installed, 20 spares)).

One hundred sixty-nine (169) Modular Mission Computers (MMC) 7000AHC (or available mission computer) (40 installed, 10 spares, 119 for modernization program (79 installed, 40 spares)).

One hundred fifty-nine (159) Embedded Global Positioning System (GPS) Inertial Navigation Systems (INS) (EGI) with Selective Availability Anti-Spoofing Module (SAASM) or M-Code capability and Precise Positioning Service (PPS) (40 installed, 8 spares, 111 for modernization program (79 installed, 32 spares)).

One hundred sixty-eight (168) Integrated Viper Electronic Warfare Suite (IVEWS) or equivalent Electronic Warfare (EW) systems (40 installed, 10 spares, 118 for modernization program (79 installed, 39 spares)).

Eight hundred fifty-eight (858) LAU-129 Guided Missile Launchers.

Forty-four (44) M61 Vulcan cannons (40 installed, 4 spares).

Sixteen (16) AN/AAQ-33 Sniper Advanced Targeting Pods (ATP).

One hundred fifty-one (151) Multifunctional Information Distribution System-Joint Tactical Radio Systems (MIDS-JTRS) (40 installed and 4 ground terminals, 8 spares, and

99 for modernization program (79 installed and 4 ground terminals, 16 spares)).

Nine hundred fifty-two (952) Advanced Medium Range Air-to-Air Missiles (AMRAAM) AIM-120C-8 or equivalent missiles.

Ninety-six (96) AMRAAM Guidance Sections.

Eight hundred sixty-four (864) GBU-39/B Small Diameter Bombs Increment 1 (SDB-1).  
Two (2) GBU-39(T-1)/B SDB-1 Guided Test Vehicles.

Two (2) GBU-39(T-1)/B SDB-1 Practice Bombs.

Ninety-six (96) AGM-88B High-Speed Anti-Radiation Missiles (HARM).

Ninety-six (96) AGM-88E Advanced Anti-Radiation Guided Missiles (AARGM).

Ten (10) AARGM Captive Air Training Missiles (CATM).

Eleven (11) AARGM Control Sections.

Twelve (12) AARGM Guidance Sections.

Four hundred one (401) AIM-9X Block II Sidewinder Missiles.

Twelve (12) AIM-9X Block II Sidewinder Captive Air Training Missiles (CATMs).

Forty (40) AIM-9X Block II Sidewinder Tactical Guidance Units.

Twelve (12) AIM-9X Block II Sidewinder CATM Guidance Units.

Twelve (12) MK82 Inert Filled General Purpose Bombs.

Eight hundred fifty (850) Joint Direct Attack Munition (JDAM) KMU-556 Tail Kits for GBU-31.

Two hundred (200) JDAM KMU-557 Tail Kits for GBU-31v3.

Three hundred eighty-four (384) JDAM KMU-559 Tail Kits for GBU-32.

Three (3) JDAM KMU-572 Tail Kits for GBU-38 or Laser JDAM GBU-54.

One thousand fifty (1,050) FMU-152 Fuzes.

Non-MDE:

Also included are AMRAAM CATMs; AIM-9X Sidewinder training missiles and Active Optical Target Detectors (AOTD); HARM control sections, rocket motors, and warhead spares; FMU-139 Joint Programmable Fuzes; DSU-38 Laser Guidance Sets for GBU-54; missile containers; AN/ARC-238 radios; AN/APX-127 or equivalent Advanced Identification Friend or Foe (AIFF) Combined Interrogator Transponders (CIT) with mode 5; Joint Helmet Mounted Cueing Systems (JHMCS) II or Scorpion Hybrid Optical-based Inertial Tracker (HOBIT) helmet mounted displays; Infrared Search and Track (IRST) pods; AN/ALE-47 Countermeasure Dispenser Systems (CMDS); KY-58 and KIV-78 cryptographic devices; Simple Key Loaders (SKLs); additional secure communications, precision navigation, and cryptographic equipment; Flight Mission Planning Systems (FMPS); Remote Operated Video Enhanced Receivers (ROVER) 6i/6Sis; Tactical Network ROVER kits, and STINGER Multi Bi-Directional (MBI) antennas; SNIPER pod pylons; impulse cartridges, chaff, flares, and ammunition; other bomb components; Common Munitions Built-in-Test (BIT) Reprogramming Equipment (CMBRE); Rackmount Improved Avionics Intermediate Shop (RIAIS); Cartridge Actuated Devices/Propellant Actuated Devices (CAD/PAD); Triple Missile Launcher Adapters (TMLA); aircraft, avionics, and weapons integration, test support, and equipment; major modernization upgrade kits for F-16 Block 40 and Block 50+ aircraft and Service Life Extension Program (SLEP) modifications; aircraft and engine repair and refurbishment after maintenance; spare and repair parts, consumables, and accessories and repair and return support; aircraft, engine, ground, and pilot support equipment; Classified/Unclassified Computer Program Identification Number (CPIN) systems; electronic warfare database support; pylons, launcher adaptors, weapon interfaces, bomb and ejection racks, conformal fuel tanks, and

travel pods; precision measurement equipment laboratory and calibration support; Classified/Unclassified software and software support; Classified/Unclassified publications, manuals, and technical documentation; maps and mapping data; facilities and construction support; simulators and training devices; personnel training and training equipment; U.S. Government and contractor engineering, technical and logistics support services, studies and surveys; and other related elements of logistical and program support.

(iv) Military Department: Air Force (TK-D-SAE, TK-D-QCV).

(v) Prior Related Cases, if any: TK-D-SFA, TK-D-SLA, TK-D-NCU, TK-D-SMB, TK-D-YAC, TK-D-YAE, TK-D-YAH, TK-P-AHX.

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

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

(viii) Date Report Delivered to Congress: January 26, 2024.

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

#### POLICY JUSTIFICATION

##### Republic of Türkiye F-16 Aircraft Acquisition and Modernization

The Republic of Türkiye has requested to buy 40 new F-16 aircraft and to modernize 79 existing F-16 aircraft to V-Configuration. The request includes: thirty-two (32) F-16 C Block 70 aircraft; eight (8) F-16 D Block 70 aircraft; forty-eight (48) F1 10-GE-129D engines (40 installed, 8 spares); one hundred forty-nine (149) Improved Programmable Display Generators (iPDG) (40 installed, 10 spares, 99 for modernization program (79 installed, 20 spares)); one hundred sixty-nine (169) Modular Mission Computers (MMC) 7000AHC (or available mission computer) (40 installed, 10 spares, 119 for modernization program (79 installed, 40 spares)); one hundred fifty-nine (159) Embedded Global Positioning System (GPS) Inertial Navigation Systems (INS)(EGI) with Selective Availability Anti-Spoofing Module (SAASM) or M-Code capability and Precise Positioning Service (PPS)(40 installed, 8 spares, 111 for modernization program (79 installed, 32 spares)); one hundred sixty-eight (168) Integrated Viper Electronic Warfare Suite (IVEWS) or equivalent Electronic Warfare (EW) systems (40 installed, 10 spares, 118 for modernization program (79 installed, 39 spares)); eight hundred fifty-eight (858) LAU-129 guided missile launchers; forty-four (44) M61 Vulcan cannons (40 installed, 4 spares); sixteen (16) AN/AAQ-33 Sniper Advanced Targeting Pods (ATP); one hundred fifty-one (151) Multifunctional Information Distribution System-Joint Tactical Radio Systems (MIDS-JTRS) (40 installed and 4 ground terminals, 8 spares, and 99 for modernization program (79 installed and 4 ground terminals, 16 spares)); nine hundred fifty-two (952) Advanced Medium Range Air-to-Air Missiles (AMRAAM) AIM-120C-8 or equivalent missiles; ninety-six (96) AMRAAM guidance sections; eight hundred sixty-four (864) GBU-39/B Small Diameter Bombs Increment 1 (SDB-1); two (2) GBU-39(T-1)/B SDB-1 guided test vehicles; two (2) GBU-39(T-1)/B SDB-1 practice bombs; ninety-six (96) AGM-88B High-Speed Anti-Radiation Missiles (HARM); ninety-six (96) AGM-88E Advanced Anti-Radiation Guided Missiles (AARGM); ten (10) AARGM Captive Air Training Missiles (CATM); eleven (11) AARGM control sections; twelve (12)

AARGM guidance sections; four hundred one (401) AIM-9X Block II Sidewinder missiles; twelve (12) AIM-9X Block II Sidewinder Captive Air Training Missiles (CATMs); forty (40) AIM-9X Block II sidewinder tactical guidance units; twelve (12) AIM-9X Block II Sidewinder CATM guidance units; twelve (12) MK82 Inert Filled general purpose bombs; eight hundred fifty (850) Joint Direct Attack Munition (JDAM) KMU-556 tail kits for GBU-31; two hundred (200) JDAM KMU-557 tail kits for GBU-31v3; three hundred eighty-four (384) JDAM KMU-559 tail kits for GBU-32; three (3) JDAM KMU-572 tail kits for GBU-38 or Laser JDAM GBU-54; one thousand fifty (1,050) FMU-152 fuzes. Also included are AMRAAM CATMs; AIM-9X Sidewinder training missiles and Active Optical Target Detectors (AOTD); HARM control sections, rocket motors, and warhead spares; FMU-139 Joint Programmable Fuzes; DSU-38 Laser Guidance Sets for GBU-54; missile containers; AN/ARC-238 radios; AN/APX-127 or equivalent Advanced Identification Friend or Foe (AIFF) Combined Interrogator Transponders (CIT) with mode 5; Joint Helmet Mounted Cueing Systems (JHMCS) II or Scorpion Hybrid Optical-based Inertial Tracker (HOBIT) helmet mounted displays; Infrared Search and Track (IRST) pods; AN/ALE-47 Countermeasure Dispenser Systems (CMDS); KY-58 and KIV-78 cryptographic devices; Simple Key Loaders (SKLs); additional secure communications, precision navigation, and cryptographic equipment; Flight Mission Planning Systems (FMPS); Remote Operated Video Enhanced Receivers (ROVER) 6i/6Sis; Tactical Network ROVER kits, and STINGER Multi Bi-Directional (MBI) antennas; SNIPER pod pylons; impulse cartridges, chaff, flares, and ammunition; bomb components and Common Munitions Built-in-Test Reprogramming Equipment (CMBRE); Rackmount Improved Avionics Intermediate Shop (RIAIS); Cartridge Actuated Devices/Propellant Actuated Devices (CAD/PAD); Triple Missile Launcher Adapters (TMLA); aircraft, avionics, and weapons integration, test support, and equipment; major modernization upgrade kits for F-16 Block 40 and Block 50+ aircraft and Service Life Extension Program (SLEP) modifications; aircraft and engine repair and refurbishment after maintenance; engine and aircraft spare and repair parts, consumables, and accessories and repair and return support; aircraft, engine, ground, and pilot support equipment; Classified/Unclassified Computer Program Identification Number (CPIN) systems; electronic warfare database support; pylons, launcher adaptors, weapon interfaces, bomb and ejection racks, conformal fuel tanks, and travel pods; precision measurement equipment laboratory and calibration support; Classified/Unclassified software and software support; Classified/Unclassified publications, manuals, and technical documentation; maps and mapping data; facilities and construction support; simulators and training devices; personnel training and training equipment; U.S. Government and contractor engineering, technical and logistics support services, studies and surveys; and other related elements of logistical and program support. The estimated total cost is \$23.0 billion.

This proposed sale will support the foreign policy goals and national security of the United States by improving the air capabilities and interoperability of a North Atlantic Treaty Organization (NATO) Ally that is a force for political and economic stability in Europe.

The proposed sale will allow Türkiye to expand and modernize its fleet of F-16 aircraft as older F-16 aircraft approach the end of their service life. These new and refurbished aircraft will provide Türkiye with a fleet of

modernized multi-role combat aircraft to enable it to provide for the defense of its airspace, contribute to NATO missions to preserve regional security and defend NATO Allies, and maintain interoperability with U.S. and NATO forces. Türkiye has F-16 aircraft in its inventory and will have no difficulty absorbing these aircraft and services into its armed forces.

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

The principal contractor will be Lockheed Martin, Greenville, SC. The purchaser typically requests offsets. Any offset agreement will be defined in negotiations between the purchaser and the contractor.

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

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

TRANSMITTAL NO. 23-07

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

Annex Item No. vii

(vii) Sensitivity of Technology:

1. The F-16 Block 70 weapon system is a fourth generation single-engine supersonic all-weather multirole fighter aircraft and features advanced avionics and systems. It contains the General Electric F110-129D engine, AN/APG-83 radar, digital flight control system, embedded internal global navigation system, Joint Helmet Mounted Cueing Systems (JHMCS) II or Scorpion Hybrid Optical-based Inertial Tracker (HOBIT) with Night Vision Device (NVD) compatibility, internal and external Electronic Warfare (EW) equipment, Advanced IFF, Link-16 datalink, operational flight trainer, and software and computer systems.

a. General Electric F110-GE-129D engines are afterburning turbofan jet engines that power the F-16.

b. General Electric F110-GE-129D engine spare modules are kits made up of spare engine components including the following modules: inlet fan, core engine, fan drive turbine, augmentor duct and nozzle, and gear box.

c. The Modular Mission Computer (MMC) 7000AHC is the central aircraft computer of the F-16. It serves as the hub for all aircraft subsystems and avionics data transfer.

d. The Improved Programmable Display Generator (iPDG) and color multifunction displays utilize ruggedized commercial liquid crystal display technology that is designed to withstand the harsh environment found in modern fighter cockpits. The display generator is the fifth generation graphics processor for the F-16. Through the use of state-of-the-art microprocessors and graphics engines, it provided orders of magnitude increases in throughput, memory, and graphics capabilities.

e. The APG-83 Scalable Agile Beam Radar (SABR) is an Active Electronically Scanned Array (AESA) radar upgrade for the F-16. It includes higher processor power, higher transmission power, more sensitive receiver electronics, and Synthetic Aperture Radar (SAR), which creates higher-resolution ground maps from a greater distance than existing mechanically scanned array radars (e.g., APG-68). The upgrade features an increase in detection range of air targets, increases in processing speed and memory, and significant improvements in all modes.

f. The Embedded Global Positioning System/Inertial Navigation System (GPS/INS) (EGI) with Selective Availability Anti-Spoofing Module (SAASM)—or M-Code re-

ceiver when available—and Precise Positioning Service (PPS) is a self-contained navigation system that provides the following: acceleration, velocity, position, attitude, platform azimuth, magnetic and true heading, altitude, body angular rates, time tags, and coordinated universal time (UTC) synchronized time. SAASM—or M-Code enables the GPS receiver access to the encrypted P(Y or M) signal, providing protection against active spoofing attacks.

g. The Joint Helmet Mounted Cueing System II (JHMCS II) or Scorpion Hybrid Optical-based Inertial Tracker (HOBIT) is a device used in aircraft to project information to the pilot's eyes and aids in tasks such as cueing weapons and aircraft sensors to air and ground targets. This system projects visual targeting and aircraft performance information on the back of the helmet's visor, enabling the pilot to monitor this information without interrupting their field of view through the cockpit canopy. This provides improvement for close combat targeting and engagement.

h. The Integrated Electronic (EW) Warfare Suite provides passive radar warning, wide spectrum Radio Frequency (RF) jamming, and control and management of the entire EW system. This system is anticipated to be internal to the aircraft, although mounted pod variants are used in certain circumstances.

i. The Advanced Identification Friend or Foe (AIFF) Combined Interrogator Transponder (CIT) is a system capable of transmitting and interrogating Mode V, Mode IV and Mode V anti-jam performance specifications, data, software source code, algorithms, and tempest plans or reports will not be offered, released, discussed, or demonstrated.

j. The Multifunction Information Distribution System (MIDS) Joint Tactical Radio System (JTTRS) is a four-channel software programmable radio for Link-16 digital voice communications and datalink, Tactical Air Navigation (TACAN), and advanced waveforms. Link-16 is a command, control, communications, and intelligence (C3I) system incorporating high-capacity and jam-resistant digital communication links for exchange of near real-time tactical information, including both data and voice, among air, ground, and sea elements.

2. The LAU-129 Guided Missile Launcher is capable of launching the AIM-9 family of missiles or AIM-120 AMRAAM. The LAU-129 launcher serves as the mechanical and electrical interface between missile and aircraft.

3. The Triple Missile Launcher Adapter (TMLA) carries three (3) missile launchers and missiles from a single standard wing pylon.

4. The M61 Vulcan Cannon is a six-barreled automatic 20mm cannon with a cyclic rate of fire from 2,500-6,000 shots per minute. This weapon is a hydraulically powered air-cooled Gatling gun used to damage and destroy aerial targets, suppress and incapacitate personnel targets, and damage and destroy moving and stationary light material targets.

5. The AN/AAQ-33 Sniper Advanced Targeting Pod (ATP) is a single, lightweight targeting pod for military aircraft that provides positive target identification, autonomous tracking, Global Positioning System (GPS) coordinate generation, and precise weapons guidance from extended standoff ranges. It incorporates a high-definition mid-wave-forward-looking infrared (FLIR) dual-mode laser, visible-light High-Definition television (HDTV), laser spot tracker, video data link (VDL), and a digital data recorder.

6. The L3Harris ROVER 6i/6Si transceiver provides real-time full-motion video (FMV) and other network data for situational awareness, targeting, battle damage assessment, and surveillance for relay and convoy

over-watch operations and other situations where eyes-on-target are required. This potential sale includes Tactical Network kits and Stinger MBI antennas. It provides expanded frequencies and additional processing resources from previous ROVER versions, allowing increased levels of collaboration and interoperability with numerous manned and unmanned airborne platforms.

7. The Infrared Search and Track (IRST) system detects and tracks threats that have infrared signatures at long ranges. It can act without emitting any radiation of its own and enables aircrews to detect adversaries before those adversaries see or sense them.

8. The AN/ARC-238 radio with HAVE QUICK II is a voice communications radio system that employs cryptographic technology. Other waveforms may be included as needed.

9. The AN/APX-126/127 Advanced Identification Friend or Foe (IFF) Combined Interrogator Transponder (CIT) is a system capable of transmitting and interrogating Mode 5. The AN/APX-127 is a form, fit, and function refresh of the AN/APX-126 and is the next generation to be produced.

10. The AN/ALE-47 Countermeasure Dispenser Set (CMDS) provides an integrated threat-adaptive computer-controlled capability for dispensing chaff, flares, and active radio frequency expendables. The AN/ALE-47 uses threat data received over the aircraft interfaces to assess the threat situation and determine a response.

11. The KY-58 is a secure voice module primarily used to encrypt radio communication to and from military aircraft and other tactical vehicles.

12. The KIV-78 is a cryptographic applique for IFF. It can be loaded with Mode 5 classified elements.

13. The AN/PYQ-10 Simple Key Loader is a handheld device used for securely receiving, storing, and transferring data between compatible cryptographic and communications equipment.

14. The Flight Mission Planning System (FMPS) is a multi-platform, PC-based mission planning system. FMPS is the Turkish-designed equivalent to the Joint Mission Planning System (JMPS).

15. The AIM-9X Block II Sidewinder Missile is a short-range air-to-air missile providing a high off-boresight seeker, enhanced countermeasure rejection capability, low drag/high angle of attack airframe, and the ability to integrate a Helmet Mounted Cueing System. This potential sale will include AIM-9X guidance section spares, Active Optical Target Detectors, Captive Air Training Missiles (CATM), and CATM guidance units.

16. The AIM-120C-8 Advanced Medium Range Air-to-Air Missile (AMRAAM) is a supersonic, air-launched, aerial intercept guided missile featuring digital technology and micro-miniature solid-state electronics. AMRAAM capabilities include look-down/shoot-down, multiple launches against multiple targets, resistance to electronic countermeasures, and interception of high- and low-flying and maneuvering targets. This potential sale will include Captive Air Training Missiles (CATM) as well as AMRAAM guidance section and control section spares.

17. The GBU-39 Small Diameter Bomb Increment 1 (SDB-1) is a 250-lb GPS-aided inertial navigation system with small autonomous, day or night, adverse weather, conventional, air-to-ground precision glide weapon capabilities able to strike fixed and stationary re-locatable non-hardened targets from standoff ranges. It is intended to provide aircraft with an ability to carry a high number of bombs. Aircraft are able to carry four SDBs in place of one 2,000-lb bomb. This potential sale includes SDB-I Guided Test Vehicles and GBU-39/B Tactical Training Rounds.

18. The AGM-88 High-Speed Anti-Radiation Missile (HARM) is a tactical air-to-surface missile designed to inhibit or destroy surface-to-air missile radars, early warning radars, and radar-directed air defense artillery systems. This potential sale includes HARM guidance section, control section, warhead, and rocket motor spares.

19. The AGM-88E Advanced Anti-Radiation Guided Missile (AARGM) weapon system is an air-to-ground missile intended for Suppression of Enemy Air Defenses (SEAD) and Destruction of Enemy Air Defenses (DEAD) missions. The AARGM provides suppression or destruction of enemy RADAR and denies the enemy the use of air defense systems, thereby improving the survivability of tactical aircraft. This potential sale will include CATMs as well as guidance section, control section, propulsion section, GPS cards, and warhead spares.

20. Joint Direct-Attack Munitions (JDAM) consist of a bomb body paired with a warhead-specific tail kit containing an Inertial Navigation System (INS)/Global Positioning System (GPS) guidance capability that converts unguided free-fall bombs into accurate, adverse Weather "smart" munitions. The JDAM weapon can be delivered from modest standoff ranges at high or low altitudes against a variety of land and surface-targets during the day or night. The JDAM is capable of receiving target coordinates via preplanned mission data from the delivery aircraft, by onboard aircraft sensors (i.e., FLIR, Radar, etc.) during captive carry, or from a third-party source via manual or automated aircrew cockpit entry.

a. The GBU-31 is a 2,000-pound JDAM consisting of a KMU-556 tail kit and BLU-109 or MK-84 bomb body.

b. The GBU-31v3 is a 2,000-pound JDAM consisting of a KMU-557 tail kit and BLU-109 bomb body.

c. The GBU-32 is a 1,000-pound JDAM consisting of a KMU-559 tail kit and BLU-110 or MK-83 bomb body.

d. The GBU-54 Laser Joint Direct Attack Munition (LJDAM) is a 500-pound JDAM which incorporates all the capabilities of the JDAM guidance tail kit and adds a precision laser guidance set. The LJDAM gives the weapon system an optional semi-active laser guidance in addition to the INS/OPS guidance. This provides the optional capability to strike moving targets. The GBU-54 consists of a DSU-38 laser guidance set, KMU-572 tail kit, and MK-82 or BLU-111 bomb body.

e. This potential sale includes inert bombs, which have no explosive-fill and are used for integration testing.

21. The FMU-152 or FMU-139 Joint Programmable Fuze (JPF) is a multi-delay, multi-arm, and proximity sensor compatible with general purpose blast, frag, and hardened-target penetrator weapons. The JPF settings are cockpit selectable in flight when used with numerous precision-guided weapons.

22. The Common Munitions Built-In-Test/Reprogramming Equipment (CMBRE) is support equipment used to interface with weapon systems to initiate and report BIT results and to upload and download flight software. CMBRE supports multiple munitions platforms with a range of applications that perform preflight checks, periodic maintenance checks, loading of Operational Flight Program (OFP) data, loading of munitions mission planning data, loading of Global Positioning System (GPS) cryptographic keys, and declassification of munitions memory.

23. The Electronic Warfare Integrated Reprogramming Database (EWIRDB) is used by U.S. Government engineers in the reprogramming and creation of shareable Mission Data Files for the AN/ALQ-131 elec-

tronic countermeasures pod on the F-16 aircraft. The source product is not releasable to the customer.

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

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

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

27. All defense articles and services listed in this transmittal have been authorized for release and export to Türkiye.

CERTIFICATION PURSUANT TO §620C(d) OF THE FOREIGN ASSISTANCE ACT OF 1961, AS AMENDED

Pursuant to Section 620C(d) of the Foreign Assistance Act of 1961, as amended (the Act), Executive Order 12163 and State Department Delegation of Authority No. 245-2, I hereby certify that the furnishing to Turkey of 40 new F-16 aircraft and equipment to modernize 79 existing F-16 aircraft is consistent with the principles contained in Section 620C(b) of the Act.

This certification will be made part of the notification to Congress under Section 36(b) of the Arms Export Control Act, as amended, regarding the proposed sale of the abovementioned articles and services and is based on the justification accompanying such notification, of which such justification constitutes a full explanation.

#### TRIBUTE TO GENERAL PAUL NAKASONE

Mr. WARNER. Mr. President, I rise today to recognize and celebrate the career of an exceptional public servant, GEN Paul Nakasone. General Nakasone is retiring from the Army after 37 years of military service, most recently as the Director of the National Security Agency and Commander of United States Cyber Command. He is a decorated combat veteran, and his career has been exceptional. His first operational tour of duty, in 1987, was at Fort Carson, CO, as an assistant intelligence officer. His tours since have brought him everywhere from Korea to Kansas, Georgia to Iraq, and to Fort Belvoir, the Pentagon, and Alexandria, VA.

Over the last 6 years General Nakasone has led the women and men of the National Security Agency, ensuring that its unique, timely and accurate intelligence insights on topics of critical national security are delivered to warfighters, policymakers, and U.S. allies. As chairman of the Senate Select Committee on Intelligence, I am a firsthand daily consumer of NSA's signals intelligence and analysis, and I cannot stress enough the importance, value, and insight it brings to us as policymakers.

Under his leadership of NSA and currently, as Commander of U.S. Cyber

Command, General Nakasone oversaw greater integration between U.S. Cyber Command and the NSA. He established several NSA organizations, including a Cybersecurity Directorate, a China Strategy Center, and the Cybersecurity Collaboration Center, to partner with private industry. He spearheaded the development of several successful joint NSA and Cyber Command teams such as the Russia Small Group on election security, which has been vital in securing U.S. elections through the last three election cycles.

In 2018, during General Nakasone's first appearance before the committee as Director of the NSA, he told members that his priority coming into the position was the NSA workforce. He called them the core of the Agency and was adamant about assessing the challenges to retaining "his talent" and also recruiting more talent. He knew, as with any successful organization, the NSA relies on its brilliant and skilled workforce of intelligence professionals to accomplish its national security mission. Their well-being and success have been a priority for him throughout his tenure and during his nearly 20 appearances before the committee. He helped to grow the next generation of intelligence analysts and collectors, mathematical scientists, linguists, and cybersecurity experts with programs such as Women in Cyber, cybersecurity and foreign language summer camps, codebreaker challenges, and with partnerships at colleges and universities across the country.

In speaking of the next generation, I would be remiss in not sharing the incredible story of General Nakasone's father, retired Colonel Edwin Nakasone, known as Bud. On the morning of December 7, 1941, then 14-year-old Bud Nakasone, now 96, was eating a bowl of corn flakes in his kitchen when he saw Japanese planes streaking through the skies, part of the surprise attack on Pearl Harbor. He saw the planes strafing the nearby barracks and saw a bomb drop on the nearby airfield. He saw U.S. planes, barracks, and hangars going up in flames. As one of the planes flew over their home, he saw on the plane "the big red meatball"—what the military called the large red circle representing the Japanese Rising Sun—and in the cockpit, the Japanese pilot wearing goggles and a white scarf—and he realized we were at war.

Bud Nakasone enlisted in the Army in 1945, and he served as an interpreter during the occupation of Japan. He later served both on Active Duty and with the Army Reserve, retiring after 41 years of service. He made his career as a high school teacher and college professor in Minnesota. General Nakasone's mother Mary was also an educator—a librarian at the University of Minnesota—when she met Bud. They were married in 1954 and are still both living in Minnesota and will celebrate 70 years together this September.



General Nakasone has said that his father's career in the Army Reserve influenced his decision to enroll in the Army's ROTC program and that, when he started learning about the 442nd Infantry Regiment of the U.S. Army—a World War II fighting unit composed almost entirely of second-generation American soldiers of Japanese ancestry—and interviewed several of its veterans, he also became interested in serving.

He has remarked that some of his most satisfying assignments included the privilege to command soldiers, including as a company commander while deployed along the demilitarized zone that separates North and South Korea.

He is a big sports fan, including of the Minnesota Vikings, which means he knows how to keep a stiff upper lip when life brings disappointment or misfortune, whether in the form of a missed Gary Anderson field goal or a lengthy Senate hold. On General Nakasone's bio, it is noted that he and his wife Susan are the proud parents of four children, who form the nucleus of "Team Nakasone," and I know how important their efforts and sacrifices have also been in allowing General Nakasone to take on assignments of increasing responsibility and importance to the security of the United States.

On behalf of a grateful nation, as he transitions to future opportunities, I would like to publicly thank Paul for his long military career, his contributions to the Nation and our national security, and for his leadership of the intelligence professionals at the National Security Agency, and I want to personally thank the Nakasone family for their critical role in supporting him throughout his service to the Nation.

Paul, thank you, and we will miss you.

#### ADDITIONAL STATEMENTS

##### TRIBUTE TO PEGGY GOLDWATER CLAY

● Mr. KELLY. Mr. President, today I rise to recognize Peggy Goldwater Clay for her 20 years of service as the chair of the board of trustees of the Barry Goldwater Scholarship and Excellence in Education Foundation. The Barry Goldwater Scholarship and Excellence in Education Foundation was established by Congress in 1986 to serve as a living memorial to honor the lifetime work of Senator Barry Goldwater, who served his country for 56 years as a soldier and statesman, including 30 years in the U.S. Senate. Peggy Goldwater Clay is Senator Goldwater's youngest daughter.

During Mrs. Clay's tenure, she enhanced the visibility and national reputation of the foundation by successfully promoting its mission and goals of seeking to identify, encourage, and financially support college sophomores and juniors who show exceptional

promise of becoming this Nation's next generation of research leaders in the fields of natural sciences, engineering, and mathematics.

As chair, Mrs. Clay promoted the foundation's modernization, effective communication, innovation, and collaboration with Tribal colleges, community colleges, 4-year universities, and other institutions.

She approved, with unanimous board support, the technological improvements of the foundation's application process that transitioned it from paper to online applications and from in-person to virtual review. This effort greatly reduced the costs of processing the nominations received by the foundation from colleges and universities in all 50 States and U.S. Territories.

Mrs. Clay encouraged and approved a 2014 survey of Goldwater Awardees, revealing that the outcomes desired when the foundation was established by Congress are being fulfilled; the survey showed that upwards of 70 percent of those who had been awarded Goldwater Scholarships had gone on to obtain Ph.Ds. in natural sciences, engineering, and mathematics and that a similar percentage had pursued research careers in these critical fields.

She approved the inception of the Goldwater Scholar Faculty Mentor Award, a collaborative initiative between the Council on Undergraduate Research and the foundation that annually recognizes an outstanding faculty mentor of the Goldwater Scholars.

Mrs. Clay endorsed a proposal, submitted by the foundation's president, that resulted in a \$9 million grant from the Department of Defense Education Program. This grant enabled the foundation to nearly double the number of scholarships it awarded from 2019 to 2023.

Also, during her tenure, Mrs. Clay helped establish the Barry Goldwater Educational Support fund, a scholars alumni organization known as the Goldwater Scholar Community, a new undergraduate research internship initiative, and a strategy to enhance the diversity of Goldwater Scholarship Awardees.

The foundation received a direct \$2 million congressional appropriation in 2022 to further support its scholarship awards. In 2021, Congress reauthorized the Barry Goldwater Scholarship and Excellence in Education Foundation. These accomplishments would not have been possible without Mrs. Clay's efforts.

I, along with the board of trustees of the Barry Goldwater Scholarship and Excellence in Education Foundation, express sincere gratitude and profound appreciation for Peggy Goldwater Clay's long, tireless, and inspired service as chair of the board of trustees.●

#### MESSAGES FROM THE PRESIDENT

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

#### EXECUTIVE MESSAGES REFERRED

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

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

#### PRESIDENTIAL MESSAGE

##### REPORT RELATIVE TO THE ISSUANCE OF AN EXECUTIVE ORDER DECLARING A NATIONAL EMERGENCY TO DEAL WITH THE THREAT POSED BY THE SITUATION IN THE WEST BANK, INCLUDING IN PARTICULAR HIGH LEVELS OF EXTREMIST SETTLER VIOLENCE, FORCED DISPLACEMENT OF PEOPLE AND VILLAGES, AND PROPERTY DESTRUCTION—PM 36

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:*

Pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) (IEEPA), the National Emergencies Act (50 U.S.C. 1601 *et seq.*), section 212(f) and section 215(a) of the Immigration and Nationality Act of 1952 (8 U.S.C. 1182(f) and 8 U.S.C. 1185(a)), and section 301 of title 3, United States Code, I hereby report that I have issued an Executive Order declaring a national emergency to deal with the threat posed by the situation in the West Bank, including in particular high levels of extremist settler violence, forced displacement of people and villages, and property destruction. Such actions constitute a serious threat to the peace, security, and stability of the West Bank and Gaza, Israel, and the broader Middle East region and undermine the foreign policy and national security objectives of the United States. I find that these actions constitute an unusual and extraordinary threat to the national security and foreign policy of the United States, and I have declared a national emergency to deal with that threat.

The order authorizes the blocking of property and interests in property of any foreign person determined by the Secretary of State, in consultation with the Secretary of the Treasury, or the Secretary of the Treasury, in consultation with the Secretary of State:

(i) to be responsible for or complicit in, or to have directly or indirectly engaged or attempted to engage in, actions—including directing, enacting, implementing, enforcing, or failing to enforce policies—that threaten the peace, security, or stability of the West Bank;

(ii) to be responsible for or complicit in, or to have directly or indirectly engaged or attempted to engage in, planning, ordering, otherwise directing, or participating in certain actions—including acts of violence or threats of violence targeting civilians, efforts to place civilians in reasonable fear of violence, property destruction, or seizure or dispossession of property by private actors—affecting the West Bank;

(iii) to be or have been a leader or official of certain entities that have engaged in, or whose members have engaged in, such activities;

(iv) to have materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of, any person blocked pursuant to the order; or

(v) to be owned or controlled by, or to have acted or purported to act for or on behalf of, directly or indirectly, any person blocked pursuant to the order.

The order also authorizes the blocking of property and interests in property of any foreign person determined by the Secretary of State, in consultation with the Secretary of the Treasury, to have committed or have attempted to commit, to pose a significant risk of committing, or to have participated in training to commit acts of terrorism affecting the West Bank. In addition, the order suspends the entry into the United States of any noncitizen determined to meet one or more of the above criteria.

The order authorizes the Secretary of the Treasury, in consultation with the Secretary of State, to take such actions, including the promulgation of rules and regulations, and to employ all powers granted to the President by IEEPA as may be necessary to carry out the purposes of the order. It directs the Secretary of State, in consultation with the Secretary of Homeland Security, to implement the order as it applies to visas, and it directs the Secretary of Homeland Security, in consultation with the Secretary of State, to implement the order as it applies to the entry into the United States of noncitizens. All executive departments and agencies of the United States are directed to take all appropriate measures within their authority to implement the order.

I am enclosing a copy of the Executive Order I have issued.

JOSEPH R. BIDEN, Jr.  
THE WHITE HOUSE, February 1, 2024.

#### MESSAGE FROM THE HOUSE

At 12:09 p.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 bills, in which it requests the concurrence of the Senate:

H.R. 599. An act to designate the facility of the United States Postal Service located at 3500 West 6th Street, Suite 103 in Los Angeles, California, as the “Dosan Ahn Chang Ho Post Office”.

H.R. 1060. An act to designate the facility of the United States Postal Service located

at 1663 East Date Place in San Bernardino, California, as the “Dr. Margaret B. Hill Post Office Building”.

H.R. 2754. An act to designate the facility of the United States Postal Service located at 2395 East Del Mar Boulevard in Laredo, Texas, as the “Lance Corporal David Lee Espinoza, Lance Corporal Juan Rodrigo Rodriguez & Sergeant Roberto Arizola Jr. Post Office Building”.

H.R. 3728. An act to designate the facility of the United States Postal Service located at 25 Dorchester Avenue, Room 1, in Boston, Massachusetts, as the “Caroline Chang Post Office”.

H.R. 6679. An act to amend the Immigration and Nationality Act with respect to aliens who carried out, participated in, planned, financed, supported, or otherwise facilitated the attacks against Israel.

H.R. 7024. An act to make improvements to the child tax credit, to provide tax incentives to promote economic growth, to provide special rules for the taxation of certain residents of Taiwan with income from sources within the United States, to provide tax relief with respect to certain Federal disasters, to make improvements to the low-income housing tax credit, and for other purposes.

#### MEASURES REFERRED

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

H.R. 599. An act to designate the facility of the United States Postal Service located at 3500 West 6th Street, Suite 103 in Los Angeles, California, as the “Dosan Ahn Chang Ho Post Office”; to the Committee on Homeland Security and Governmental Affairs.

H.R. 1060. An act to designate the facility of the United States Postal Service located at 1663 East Date Place in San Bernardino, California, as the “Dr. Margaret B. Hill Post Office Building”; to the Committee on Homeland Security and Governmental Affairs.

H.R. 2754. An act to designate the facility of the United States Postal Service located at 2395 East Del Mar Boulevard in Laredo, Texas, as the “Lance Corporal David Lee Espinoza, Lance Corporal Juan Rodrigo Rodriguez & Sergeant Roberto Arizola Jr. Post Office Building”; to the Committee on Homeland Security and Governmental Affairs.

H.R. 3728. An act to designate the facility of the United States Postal Service located at 25 Dorchester Avenue, Room 1, in Boston, Massachusetts, as the “Caroline Chang Post Office”; to the Committee on Homeland Security and Governmental Affairs.

H.R. 6679. An act to amend the Immigration and Nationality Act with respect to aliens who carried out, participated in, planned, financed, supported, or otherwise facilitated the attacks against Israel; to the Committee on the Judiciary.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. SANDERS, from the Committee on Health, Education, Labor, and Pensions, with an amendment in the nature of a substitute:

S. 644. A bill to expand the take-home prescribing of methadone through pharmacies.

S. 1840. A bill to amend the Public Health Service Act to reauthorize and improve the National Breast and Cervical Cancer Early Detection Program for fiscal years 2024 through 2028, and for other purposes.

S. 3393. A bill to reauthorize the SUPPORT for Patients and Communities Act, and for other purposes.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

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

S. 3719. A bill to amend the Environmental Research, Development, and Demonstration Authorization Act of 1978 to revise the duties of the Science Advisory Board, and for other purposes; to the Committee on Environment and Public Works.

By Ms. SMITH (for herself and Ms. LUMMIS):

S. 3720. A bill to amend the Consumer Credit Protection Act to provide for additional requirements for land installment contract transactions; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. RICKETTS (for himself, Mr. WICKER, and Mrs. BRITT):

S. 3721. A bill prescribe requirements with respect to plants detained by the Secretary of the Interior on suspicion of a violation of the Lacey Act Amendments of 1981, and for other purposes; to the Committee on Environment and Public Works.

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

S. 3722. A bill to require a report on access to maternal health care within the military health system, and for other purposes; to the Committee on Armed Services.

By Mr. COTTON (for himself and Mr. CRUZ):

S. 3723. A bill to prohibit funding for the United Nations Relief and Works Agency, and for other purposes; to the Committee on Finance.

By Mr. KENNEDY:

S. 3724. A bill to prohibit the Environmental Protection Agency from using assessments generated by the Integrated Risk Information System as a tier 1 data source in rulemakings and other regulatory actions, and for other purposes; to the Committee on Environment and Public Works.

By Mrs. GILLIBRAND:

S. 3725. A bill to amend the Toxic Substances Control Act to codify a Federal cause of action and a type of remedy available for individuals significantly exposed to per- and polyfluoroalkyl substances, to encourage research and accountability for irresponsible discharge of those substances, and for other purposes; to the Committee on Environment and Public Works.

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

S. 3726. A bill to amend Federal law to remove the terms “mentally retarded” and “mental retardation”, and for other purposes; to the Committee on the Judiciary.

By Mr. DURBIN (for himself, Ms. SMITH, Mr. BLUMENTHAL, Mr. MERKLEY, and Ms. WARREN):

S. 3727. A bill to establish the Proprietary Education Interagency Oversight Committee and to facilitate the disclosure and reporting of information regarding complaints and investigations related to proprietary institutions of higher education eligible to receive Federal education assistance; to the Committee on Health, Education, Labor, and Pensions.

By Mr. TESTER (for himself and Mr. BROWN):

S. 3728. A bill to amend title 38, United States Code, to modify the administration of

housing loans of the Department of Veterans Affairs to prevent or resolve default under such loans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. TUBERVILLE:

S. 3729. A bill to modify eligibility requirements for amateur sports governing organizations; to the Committee on Commerce, Science, and Transportation.

By Mr. YOUNG (for himself, Ms. DUCKWORTH, and Mr. RISCH):

S. 3730. A bill to amend the Small Business Investment Act of 1958 to increase the amount that may be invested in small business investment companies; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. MURKOWSKI:

S. 3731. A bill to permit under certain conditions the transportation of passengers between ports in the State of Alaska, or between a port in the State of Alaska and a port in the State of Washington, on vessels not qualified to engage in the coastwise trade that transport more than 1,000 passengers, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. MARKEY (for himself, Mr. HEINRICH, Mr. WYDEN, Mr. WELCH, Mr. PADILLA, and Mr. BOOKER):

S. 3732. A bill to require the Administrator of the Environmental Protection Agency to carry out a study on the environmental impacts of artificial intelligence, to require the Director of the National Institute of Standards and Technology to convene a consortium on such environmental impacts, and to require the Director to develop a voluntary reporting system for the reporting of the environmental impacts of artificial intelligence, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. SCHMITT (for himself, Mr. MARSHALL, Mr. COTTON, Mr. BRAUN, Mrs. BLACKBURN, Mr. SCOTT of Florida, Mr. HAGERTY, Ms. ERNST, Mr. JOHNSON, and Ms. LUMMIS):

S.J. Res. 57. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of the Treasury relating to "Coronavirus State and Local Fiscal Recovery Funds"; to the Committee on Finance.

By Mr. CRUZ (for himself, Mr. RISCH, Ms. LUMMIS, Mr. SULLIVAN, Mr. KENNEDY, Mr. HAGERTY, Mr. RICKETTS, Mr. CRAPO, Mr. SCOTT of Florida, Mrs. CAPITO, Mr. WICKER, Mrs. BLACKBURN, Mr. JOHNSON, Mr. LANKFORD, Mr. LEE, Mr. DAINES, Mr. GRASSLEY, Mrs. HYDE-SMITH, Mr. HOEVEN, Mr. BRAUN, Mr. MULLIN, Mrs. BRITT, Mr. VANCE, Mr. SCHMITT, Mr. CRAMER, Mrs. FISCHER, Mr. TUBERVILLE, Mr. ROUNDS, Mr. MARSHALL, and Mr. GRAHAM):

S.J. Res. 58. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Energy relating to "Energy Conservation Program: Energy Conservation Standards for Consumer Furnaces"; to the Committee on Energy and Natural Resources.

By Ms. LUMMIS:

S.J. Res. 59. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Securities and Exchange Commission relating to "Staff Accounting Bulletin No. 121"; to the Committee on Banking, Housing, and Urban Affairs.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. MARKEY (for himself, Mr. CASIDY, Mr. PETERS, Mr. RUBIO, Mr. WHITEHOUSE, Ms. WARREN, Mr. WELCH, Mr. MENENDEZ, and Mr. FETTERMAN):

S. Res. 540. A resolution requesting information on Azerbaijan's human rights practices pursuant to section 502B(c) of the Foreign Assistance Act of 1961; to the Committee on Foreign Relations.

By Mr. GRASSLEY (for himself, Ms. CORTEZ MASTO, Mrs. CAPITO, Mr. WYDEN, Ms. MURKOWSKI, Mr. DURBIN, Ms. COLLINS, Ms. KLOBUCHAR, Mr. BLUMENTHAL, Mr. BROWN, and Ms. BUTLER):

S. Res. 541. A resolution supporting the observation of National Trafficking and Modern Slavery Prevention Month during the period beginning on January 1, 2024, and ending on February 1, 2024, to raise awareness of, and opposition to, human trafficking and modern slavery; considered and agreed to.

By Mr. RICKETTS:

S. Con. Res. 27. A concurrent resolution recognizing the need for research, education, and policy development regarding high-potency marijuana; to the Committee on Health, Education, Labor, and Pensions.

## ADDITIONAL COSPONSORS

S. 91

At the request of Mr. HAGERTY, the names of the Senator from Kansas (Mr. MORAN), the Senator from Nevada (Ms. CORTEZ MASTO), the Senator from Mississippi (Mr. WICKER) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. 91, a bill to award a Congressional Gold Medal to 60 diplomats, in recognition of their bravery and heroism during the Holocaust.

S. 133

At the request of Ms. COLLINS, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 133, a bill to extend the National Alzheimer's Project.

S. 140

At the request of Mr. GRASSLEY, the name of the Senator from Arizona (Mr. KELLY) was added as a cosponsor of S. 140, a bill to combat organized crime involving the illegal acquisition of retail goods for the purpose of selling those illegally obtained goods through physical and online retail marketplaces.

S. 226

At the request of Ms. DUCKWORTH, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 226, a bill to establish eligibility requirements for education support professionals and school support staff under the Family and Medical Leave Act of 1993, and for other purposes.

S. 815

At the request of Mr. TESTER, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a co-

sponsor of S. 815, a bill to award a Congressional Gold Medal to the female telephone operators of the Army Signal Corps, known as the "Hello Girls".

S. 928

At the request of Mr. TESTER, the name of the Senator from Arizona (Ms. SINEMA) was added as a cosponsor of S. 928, a bill to require the Secretary of Veterans Affairs to prepare an annual report on suicide prevention, and for other purposes.

S. 1149

At the request of Mr. HEINRICH, the names of the Senator from Pennsylvania (Mr. CASEY) and the Senator from Florida (Mr. RUBIO) were added as cosponsors of S. 1149, a bill to amend the Pittman-Robertson Wildlife Restoration Act to make supplemental funds available for management of fish and wildlife species of greatest conservation need as determined by State fish and wildlife agencies, and for other purposes.

S. 1351

At the request of Mr. MERKLEY, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1351, a bill to study and prevent child abuse in youth residential programs, and for other purposes.

S. 1558

At the request of Ms. BALDWIN, the name of the Senator from Virginia (Mr. KAINE) was added as a cosponsor of S. 1558, a bill to award a Congressional Gold Medal, collectively, to the brave women who served in World War II as members of the U.S. Army Nurse Corps and U.S. Navy Nurse Corps.

S. 2695

At the request of Ms. CANTWELL, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 2695, a bill to amend the Indian Law Enforcement Reform Act to provide for advancements in public safety services to Indian communities, and for other purposes.

S. 2757

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

S. 3235

At the request of Mr. RISCH, the name of the Senator from North Carolina (Mr. BUDD) was added as a cosponsor of S. 3235, a bill to require a strategy to counter the role of the People's Republic of China in evasion of sanctions imposed by the United States with respect to Iran, and for other purposes.

S. 3470

At the request of Mrs. BRITT, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S. 3470, a bill to amend the National

Voter Registration Act of 1993 to permit a State to include as part of the mail voter registration form a requirement that applicants provide proof of citizenship, and for other purposes.

S. 3493

At the request of Mr. HAGERTY, the name of the Senator from Wyoming (Ms. LUMMIS) was added as a cosponsor of S. 3493, a bill to require certification prior to obligation of funds for United Nations Relief and Works Agency, and for other purposes.

S. 3548

At the request of Mr. BRAUN, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 3548, a bill to amend the Public Health Service Act to provide for hospital and insurer price transparency.

S. 3657

At the request of Mr. CASEY, the name of the Senator from Pennsylvania (Mr. FETTERMAN) was added as a cosponsor of S. 3657, a bill to amend the Internal Revenue Code of 1986 to enhance the Child and Dependent Care Tax Credit and make the credit fully refundable for certain taxpayers.

S. 3659

At the request of Mr. HAGERTY, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 3659, a bill to require a citizenship question on the decennial census, to require reporting on certain census statistics, and to modify apportionment of Representatives to be based on United States citizens instead of all persons.

S. 3666

At the request of Mr. BRAUN, the names of the Senator from Nebraska (Mr. RICKETTS) and the Senator from West Virginia (Mr. MANCHIN) were added as cosponsors of S. 3666, a bill to amend the Agricultural Foreign Investment Disclosure Act of 1978 to establish an additional reporting requirement, and for other purposes.

S. 3688

At the request of Mr. SCHATZ, the name of the Senator from New Mexico (Mr. LUJÁN) was added as a cosponsor of S. 3688, a bill to increase the rates of pay under the statutory pay systems and for prevailing rate employees by 7.4 percent, and for other purposes.

S. 3704

At the request of Mr. SCOTT of South Carolina, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 3704, a bill to amend the Natural Gas Act to allow the Federal Energy Regulatory Commission to approve or deny applications for the siting, construction, expansion, or operation of facilities to export or import natural gas, and for other purposes.

S. 3708

At the request of Mr. KENNEDY, the name of the Senator from Florida (Mr. SCOTT) was added as a cosponsor of S. 3708, a bill to reprogram Federal funds appropriated for UNRWA to construct

the southwest border wall and to prohibit future funding for UNRWA.

S. J. RES. 52

At the request of Ms. MURKOWSKI, the name of the Senator from North Dakota (Mr. CRAMER) was added as a cosponsor of S. J. Res. 52, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Environmental Protection Agency entitled "Finding That Lead Emissions From Aircraft Engines That Operate on Leaded Fuel Cause or Contribute to Air Pollution That May Reasonably Be Anticipated To Endanger Public Health and Welfare".

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DURBIN (for himself, Ms. SMITH, Mr. BLUMENTHAL, Mr. MERKLEY, and Ms. WARREN):

S. 3727. A bill to establish the Proprietary Education Interagency Oversight Committee and to facilitate the disclosure and reporting of information regarding complaints and investigations related to proprietary institutions of higher education eligible to receive Federal education assistance; to the Committee on Health, Education, Labor, and Pensions.

Mr. DURBIN. Madam President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 3727

*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 "Proprietary Education Oversight Task Force Act".

#### SEC. 2. DEFINITIONS.

In this Act:

(1) ACCREDITING AGENCY.—The term "accrediting agency" means a private educational association that acts as a reliable authority on the quality of education or training provided by an institution of higher education and is recognized by the Secretary under section 496 of the Higher Education Act of 1965 (20 U.S.C. 1099b).

(2) DEPARTMENT.—Unless otherwise expressly provided, the term "Department" means the Department of Education.

(3) EXECUTIVE OFFICER.—The term "executive officer", with respect to a proprietary institution of higher education that is a publicly traded corporation, means—

(A) the president of the corporation;

(B) a vice president of the corporation who is in charge of a principal business unit, division, or function of the corporation, such as sales, administration, or finance; or

(C) any other officer or person who performs a policy-making function for the corporation, including an executive officer of a subsidiary of the corporation if the officer performs a policy making function for the corporation.

(4) FEDERAL EDUCATION ASSISTANCE.—The term "Federal education assistance" when used with respect to a proprietary institution of higher education, means Federal funds that are disbursed or delivered by the Department, the Department of Veterans Af-

fairs, or the Department of Defense to, or on behalf of, a student to be used for tuition, fees, instruction, or any other component of the student's cost of attendance (as defined in section 472 of the Higher Education Act of 1965 (20 U.S.C. 10871)) to attend the institution.

(5) INSTITUTIONAL DEBT.—The term "institutional debt" means any debt owed by a student or the parent of a student to an institution of higher education, including—

(A) debt owed through a private loan program, income-share agreement, or other financing product operated by the institution;

(B) debt owed from a return of student assistance made, insured, or guaranteed under title IV of the Higher Education Act 1965 (20 U.S.C. 1070 et seq.) to the Department; and

(C) debt owed from the student's nonpayment of institutional charges or fees.

(6) PRIVATE EDUCATION LOAN.—The term "private education loan"—

(A) means a loan provided by a private educational lender (as defined in section 140(a) of the Truth in Lending Act (15 U.S.C. 1650(a))) that—

(i) is not made, insured, or guaranteed under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.);

(ii) is issued expressly for postsecondary educational expenses to a borrower, regardless of whether the loan is provided through the educational institution that the subject student attends or directly to the borrower from the private educational lender (as so defined); and

(iii) is not made, insured, or guaranteed under title VII or title VIII of the Public Health Service Act (42 U.S.C. 292 et seq. and 296 et seq.); and

(B) does not include an extension of credit under an open-end consumer credit plan, a reverse mortgage transaction, a residential mortgage transaction, or any other loan that is secured by real property or a dwelling.

(7) PROPRIETARY INSTITUTION OF HIGHER EDUCATION.—The term "proprietary institution of higher education" has the meaning given the term in section 102(b) of the Higher Education Act of 1965 (20 U.S.C. 1002(b)).

(8) RECRUITING AND MARKETING ACTIVITIES.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the term "recruiting and marketing activities" means activities that include any of the following:

(i) Advertising and promotional activities, including paid announcements in newspapers, magazines, radio, television, billboards, electronic media, naming rights, or any other public medium of communication, including paying for displays or promotions at job fairs, military installations, or college recruiting events, that are made directly or indirectly to a student, a prospective student, the public, an accrediting agency, a State agency, or to the Secretary by a proprietary institution of higher education, one of its representatives, or any person with whom the institution has an agreement to provide educational programs, advertising, or admissions services.

(ii) Misleading statement, misrepresentation, and substantial misrepresentation (as defined in section 668.71(c) of title 34, Code of Federal Regulations, or any successor regulation).

(iii) Efforts to identify and attract prospective students, either directly or through a contractor or other third party, including contact concerning a prospective student's potential enrollment or application for a grant, a loan, or work assistance under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.) or participation in preadmission or advising activities, including soliciting an individual to provide contact information to a proprietary institution

of higher education, including through websites established for that purpose and funds paid to third parties for that purpose.

(iv) Other activities as the Secretary may prescribe, including paying for promotion or sponsorship of education or military-related associations.

(B) EXCEPTIONS.—Any activity that is required as a condition of the receipt of funds by an institution of higher education under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.), is specifically authorized under that title, or is otherwise specified by the Secretary, is not a recruiting and marketing activity under subparagraph (A).

(9) SECRETARY.—Unless otherwise expressly provided, the term “Secretary” means the Secretary of Education.

(10) STATE APPROVAL AGENCY.—The term “State approval agency” means any State agency that determines whether an institution of higher education is legally authorized within the State to provide a program of education beyond secondary education.

(11) VETERANS SERVICE ORGANIZATION.—The term “veterans service organization” means an organization that is—

(A) recognized by the Secretary of Veterans Affairs for the representation of veterans under section 5902 of title 38, United States Code;

(B) congressionally chartered under title 36, United States Code, and serves or represents veterans;

(C) recognized by the Secretary of Veteran Affairs under section 14.628 of title 38, Code of Federal Regulations (or a successor regulation), as a national organization, State organization, tribal organization, or regional or local organization; or

(D) an organization that has a record of demonstrating expertise in, assists in, or serves the interests of veterans in education.

### SEC. 3. ESTABLISHMENT OF PROPRIETARY EDUCATION INTERAGENCY OVERSIGHT COMMITTEE.

(a) ESTABLISHMENT.—There is established the Proprietary Education Interagency Oversight Committee (referred to in this Act as the “Committee”) to be composed of the head (or the designee of the head who is designated under subsection (d)) of each of the following:

- (1) The Department.
- (2) The Consumer Financial Protection Bureau.
- (3) The Department of Justice.
- (4) The Securities and Exchange Commission.
- (5) The Department of Defense.
- (6) The Department of Veterans Affairs.
- (7) The Federal Trade Commission.
- (8) The Department of Labor.
- (9) The Internal Revenue Service.
- (10) At the discretion of the President, any other relevant Federal agency.

(b) PURPOSES.—The Committee shall have the following purposes:

- (1) To improve enforcement of applicable Federal laws and regulations.
- (2) To increase accountability of proprietary institutions of higher education to students and taxpayers.
- (3) To ensure the promotion of high-quality education programs.
- (4) To reduce and prevent fraud and abuse by proprietary institutions of higher education.

(c) RESPONSIBILITIES.—To meet the purposes described in subsection (b), the Committee shall—

(1) coordinate administrative oversight of proprietary institutions of higher education—

(A) such that the Federal agencies represented on the Committee may develop a memorandum of understanding to specify re-

sponsibilities of each of those agencies in creating the report under section 6;

(B) to encourage information-sharing, to the extent practicable, among those agencies related to Federal investigations, audits, or inquiries of proprietary institutions of higher education; and

(C) to increase coordination and cooperation between Federal and State agencies, including State Attorneys General and State approval agencies, with respect to improving oversight and accountability of proprietary institutions of higher education; and

(2) synthesize cross-agency industry data on proprietary institutions of higher education to—

(A) develop an annual report under section 6;

(B) publish a “For-Profit College Warning List for Parents and Students”, in accordance with section 7; and

(C) develop consistency among Federal and State agencies in the dissemination of consumer information regarding proprietary institutions of higher education to ensure that students, parents, and other stakeholders have easy access to that information.

(d) MEMBERSHIP.—

(1) DESIGNEES.—The head of a Federal agency listed in subsection (a) may designate a high-ranking official of the agency to serve as a designee on the Committee. The designee shall be, whenever possible, the head of the portion of the agency that is most relevant to the purposes described in subsection (b).

(2) CHAIRPERSON.—The Secretary or the Secretary’s designee shall serve as the Chairperson of the Committee.

(3) COMMITTEE SUPPORT.—The Chairperson of the Committee shall ensure that appropriate staff and officials at the Department are available to support Committee-related work.

(e) COMMITTEE MEETINGS.—The members of the Committee shall meet regularly, but not less often than once during each quarter of each fiscal year, to carry out the purposes described in subsection (b) and the responsibilities described in subsection (c).

(f) NOTIFICATION TO INDIVIDUALS WHO SUBMIT COMPLAINTS.—The head of each Federal agency listed in subsection (a) shall notify each individual who submits to the Federal agency a complaint with respect to a proprietary institution of higher education that information from the complaint may be used to carry out the purposes described in subsection (b).

### SEC. 4. PROPRIETARY EDUCATION OVERSIGHT ADVISORY COMMITTEE.

(a) IN GENERAL.—The Department shall establish a Proprietary Education Oversight Advisory Committee (referred to in this Act as the “Advisory Committee”) to advise the Committee. The Advisory Committee shall meet not less often than twice each fiscal year.

(b) FACIA APPLICABILITY.—The Advisory Committee shall be subject to chapter 10 of title 5, United States Code (commonly referred to as the “Federal Advisory Committee Act”).

(c) MEMBERSHIP.—

(1) IN GENERAL.—The Advisory Committee shall have 13 members, of which—

(A) 4 members shall be representatives from State attorneys general—

(i) 2 of whom shall be appointed by the Speaker of the House of Representatives, 1 of whom shall be appointed on the recommendation of the majority leader of the House of Representatives, and 1 of whom shall be appointed on the recommendation of the minority leader of the House of Representatives; and

(ii) 2 of whom shall be appointed by the President pro tempore of the Senate, 1 of

whom shall be appointed on the recommendation of the majority leader of the Senate, and 1 of whom shall be appointed on the recommendation of the minority leader of the Senate; and

(B) 9 members shall be appointed by the Secretary, of whom—

(i) 1 member shall be a representative from a State approval agency;

(ii) 1 member shall be a representative from a veterans service organization;

(iii) 1 member shall be a representative from an accrediting agency;

(iv) 1 member shall be a representative from a civil rights organization;

(v) 1 member shall be a representative from a proprietary institution of higher education;

(vi) 1 member shall be a current student of a proprietary institution of higher education who is a dependent student;

(vii) 1 member shall be a current student of a proprietary institution of higher education who is an independent student;

(viii) 1 member shall be a representative from a consumer advocate organization; and

(ix) 1 member shall be a representative from a legal assistance organization that represents students or borrowers.

(2) QUALIFICATIONS.—Individuals shall be appointed as members of the Advisory Committee—

(A) on the basis of the individuals’ experience, integrity, impartiality, and good judgment; and

(B) on the basis of the individuals’ technical qualifications, professional standing, and demonstrated knowledge in the field of proprietary education.

(3) TERMS OF MEMBERS.—The term of office of each member of the Advisory Committee shall be for 6 years, except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which the member’s predecessor was appointed shall be appointed for the remainder of such term.

(4) VACANCY.—A vacancy on the Advisory Committee shall be filled in the same manner as the original appointment was made not later than 90 days after the vacancy occurs. If a vacancy occurs in a position to be filled by the Secretary, the Secretary shall publish a Federal Register notice soliciting nominations for the position not later than 30 days after being notified of the vacancy.

(d) DUTIES.—The Advisory Committee shall provide advice and recommendations to the Committee with respect to—

(1) complaints filed against proprietary institutions of higher education with State attorneys general or State approval agencies;

(2) State enforcement actions against proprietary institutions of higher education;

(3) minority enrollment in proprietary institutions of higher education;

(4) veteran enrollment in proprietary institutions of higher education;

(5) outcome measures at proprietary institutions of higher education, including graduation rates, percent of graduates earning more than a high school graduate, and licensure pass rates;

(6) student loan burden from enrollment at proprietary institutions of higher education, including median amount owed disaggregated by degree type, cohort default rate, and percent of students in repayment;

(7) marketing and recruitment practices at proprietary institutions of higher education;

(8) per pupil expenditure for instructional purposes at proprietary institutions of higher education;

(9) enforcement actions the Federal Government should take against proprietary institutions of higher education; and

(10) preparation of the report under section 6.

(e) SHARING OF DATA FROM COMPLAINTS.—To carry out the duties described under subsection (d), the Advisory Committee may share among the members of the Advisory Committee and the Committee information from complaints filed against proprietary institutions of higher education consistent with the protection of the privacy and confidentiality of personally identifiable information.

#### SEC. 5. COLLECTION AND TRACKING OF COMPLAINTS.

(a) IN GENERAL.—

(1) CENTRALIZED COLLECTION, MONITORING, AND RESPONSE.—In consultation with the Committee, the Secretary shall establish a single, toll-free telephone number, a website, and a database (or use an existing database) to facilitate the centralized collection of, monitoring of, and response to student complaints regarding the services or activities of any proprietary institution of higher education that is eligible for Federal education assistance.

(2) COORDINATION.—The Committee shall coordinate with the Federal agencies represented on the Committee to route complaints to those agencies, where appropriate, and consistent with—

(A) the protection of the privacy and confidentiality of personally identifiable information; and

(B) data security and integrity.

(b) USE OF COMPLAINT INFORMATION.—Information collected from complaints under subsection (a) shall be used—

(1) to facilitate coordination among the Federal agencies represented on the Committee;

(2) to facilitate investigations and enforcement actions against proprietary institutions of higher education;

(3) to prepare the report under section 6; and

(4) to prepare the For-Profit College Warning List for Parents and Students under section 7.

(c) ROUTING COMPLAINTS TO STATES.—To the extent practicable, State approval agencies may receive appropriate complaints from the systems established under subsection (a), if—

(1) the State approval agency system has the functional capacity to receive calls or electronic reports routed by the systems of the Department;

(2) the State approval agency has satisfied any conditions of participation in the system that the Department may establish, including treatment of personally identifiable information and sharing of information on complaint resolution or related compliance procedures and resources; and

(3) participation by the State approval agency includes measures necessary to provide for protection of personally identifiable information that conform to the Federal laws and standards for protection of the privacy and confidentiality of personally identifiable information and for data integrity and security that apply to the Federal agencies described in subsection (d).

(d) DATA-SHARING REQUIRED.—

(1) IN GENERAL.—To facilitate preparation of the reports required under section 6, supervision and enforcement activities, and monitoring of the market for educational services provided by any proprietary institution of higher education that is eligible for Federal education assistance, the Committee members shall share student complaint information with accrediting agencies, the Federal Trade Commission, other Federal agencies, and State agencies, subject to the Federal laws and standards applicable to Federal agencies for the protection of the privacy and confidentiality of personally

identifiable information and for data security and integrity.

(2) SHARING OF DATA WITH THE DEPARTMENT.—The accrediting agencies, the Federal Trade Commission, and other Federal agencies shall share data relating to student complaints regarding educational services provided by any proprietary institution of higher education with the Department, subject to the Federal laws and standards applicable to Federal agencies for the protection of the privacy and confidentiality of personally identifiable information and for data security and integrity.

#### SEC. 6. REPORT.

(a) IN GENERAL.—The Committee shall submit an annual report to the Committee on Health, Education, Labor, and Pensions of the Senate, the Committee on Education and the Workforce of the House of Representatives, and any other committee of Congress that the Committee determines appropriate.

(b) CONFIDENTIALITY AND PUBLIC ACCESS.—The report described in subsection (a)—

(1) shall not contain any personally identifiable information; and

(2) shall be made available to the public in a manner that is easily accessible to parents, students, and other stakeholders.

(c) CONTENTS.—

(1) IN GENERAL.—The report described in subsection (a) shall include—

(A) a description of the role of each member of the Committee in achieving the purposes described in section 3(b);

(B) an accounting of any negative or adverse action taken by the Federal Government, any member agency of the Committee, or a State to enforce Federal or State laws and regulations applicable to a proprietary institution of higher education;

(C) a summary of complaints received, resolved, or pending against each proprietary institution of higher education during the applicable year, including—

(i) student complaints collected by the complaint system established under section 5 or received by any member agency of the Committee;

(ii) any complaint filed by a Federal or State agency in a Federal, State, local, or Tribal court;

(iii) any administrative proceeding by a Federal or State agency involving non-compliance of any applicable law or regulation;

(iv) any other review, audit, or administrative process by any Federal or State agency that results in a penalty, suspension, or termination from any Federal or State program; and

(v) any complaint, review, audit, or administrative process by an accrediting agency that results in probation or equivalent action, denial, withdrawal, suspension, or termination of accreditation;

(D) the data described in paragraph (2) and any other data relevant to proprietary institutions of higher education that the Committee determines appropriate; and

(E) recommendations of the Committee for the legislative and administrative actions as the Committee determines are necessary to—

(i) improve enforcement of applicable Federal laws;

(ii) increase accountability of proprietary institutions of higher education to students, parents, and taxpayers;

(iii) reduce and prevent fraud and abuse by proprietary institutions of higher education; and

(iv) ensure the promotion of quality education programs.

(2) DATA.—

(A) INDUSTRY-WIDE DATA.—The report described in subsection (a) shall include data

on all proprietary institutions of higher education that consists of information regarding—

(i) the total amount of Federal education assistance that proprietary institutions of higher education received for the previous academic year, and the percentage of the total amount of Federal education assistance provided to institutions of higher education (as defined in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002)) for the previous academic year that reflects the total amount of Federal education assistance provided to proprietary institutions of higher education for the previous academic year;

(ii) the total amount of Federal education assistance that proprietary institutions of higher education received for the previous academic year, disaggregated by—

(I) educational assistance in the form of a loan provided under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.);

(II) educational assistance in the form of a grant provided under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.);

(III) educational assistance provided under chapter 33 of title 38, United States Code;

(IV) assistance for tuition and expenses under section 2007 of title 10, United States Code;

(V) assistance provided under section 1784a of title 10, United States Code; and

(VI) Federal education assistance not described in subclauses (I) through (V);

(iii) the percentage of the total amount of Federal education assistance provided to institutions of higher education (as defined in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002)) for the previous academic year for each of the programs described in subclauses (I) through (VI) of clause (ii), that reflects the total amount of Federal education assistance provided to proprietary institutions of higher education for the previous academic year for each of those programs;

(iv) the average retention and graduation rates for students pursuing a degree at proprietary institutions of higher education;

(v) the average cohort default rate (as defined in section 435(m) of the Higher Education Act of 1965 (20 U.S.C. 1085(m)) for proprietary institutions of higher education, and the cohort default rate for each proprietary institution of higher education;

(vi) the average pre-enrollment expenditures on a per-enrolled-student basis, including expenditures on recruiting and marketing activities;

(vii) the average educational and general expenditures (as defined in section 502 of the Higher Education Act of 1965 (20 U.S.C. 1101a)) per student, excluding all pre-enrollment expenditures;

(viii) for careers requiring the passage of a licensing examination—

(I) the passing rate of individuals who attended a proprietary institution of higher education taking the examination to pursue such a career; and

(II) the passing rate of all individuals taking the exam to pursue such a career; and

(ix) the use of private education loans at proprietary institutions of higher education that includes—

(I) an estimate of the total number of those loans;

(II) information on the average debt, default rate, and interest rate of those loans; and

(III) the names of each lender providing private education loans to borrowers with respect to each proprietary institution of higher education in the prior academic year, including—

(aa) the number of borrowers receiving loans from each lender; and

(bb) the volume of dollars provided to borrowers with respect to the proprietary institution of higher education by each lender.

(B) DATA ON PUBLICLY TRADED CORPORATIONS.—

(i) IN GENERAL.—The report described in subsection (a) shall include data on proprietary institutions of higher education that are publicly traded corporations, consisting of information on—

(I) any pre-tax profit of those proprietary institutions of higher education—

(aa) reported as a total amount and an average percent of revenue for all those proprietary institutions of higher education; and

(bb) reported for each of those proprietary institutions of higher education;

(II) revenue for those proprietary institutions of higher education spent on recruiting and marketing activities, student instruction, and student support services, reported—

(aa) as a total amount and an average percentage of revenue for all those proprietary institutions of higher education; and

(bb) for each of those proprietary institutions of higher education;

(III) total compensation packages, including bonuses, of the executive officers of each of those proprietary institutions of higher education;

(IV) a list of institutional loan programs offered by each of those proprietary institutions of higher education that includes information on the default and interest rates of those programs; and

(V) the data described in clauses (ii) and (iii).

(ii) DISAGGREGATED BY OWNERSHIP.—The report shall include data on proprietary institutions of higher education that are publicly traded corporations, disaggregated by corporate or parent entity, brand name, and campus, consisting of—

(I) the average total cost of attendance at each proprietary institution of higher education, and information comparing the total cost for each program to—

(aa) the average total cost of attendance—

(AA) at each public institution of higher education; and

(BB) at each public institution of higher education that offers the same level of education degree or certification as the proprietary institution of higher education; and

(bb) the average total cost of attendance—

(AA) at all institutions of higher education, including institutions that are public and institutions that are private; and

(BB) at all institutions of higher education that offer the same level of education degree or certification as the proprietary institution of higher education, including institutions that are public and institutions that are private;

(II) total enrollment, disaggregated by—

(aa) individuals enrolled in programs taken online;

(bb) individuals enrolled in programs that are not taken online; and

(cc) individuals enrolled in programs taken both online and not online;

(III) the average retention and graduation rates for students pursuing a degree at proprietary institutions of higher education;

(IV) the percentage of students enrolled in proprietary institutions of higher education who complete a program of an institution within—

(aa) the standard period of completion for the program; and

(bb) a period that is 150 percent of the standard period of completion;

(V) the average total cost of attendance for each program at proprietary institutions of higher education;

(VI) the average cohort default rate, as defined in section 435(m) of the Higher Edu-

cation Act of 1965 (20 U.S.C. 1085(m)), for proprietary institutions of higher education, and an annual list of cohort default rates (as so defined) for all proprietary institutions of higher education;

(VII) the median Federal educational debt incurred by students who complete a program at a proprietary institution of higher education;

(VIII) the median Federal educational debt incurred by students who start but do not complete a program at a proprietary institution of higher education;

(IX) the job placement rate for students who complete a program at a proprietary institution of higher education and the type of employment obtained by those students;

(X) for careers requiring the passage of a licensing examination, the passing rate for individuals who attended a proprietary institution of higher education and passed the examination;

(XI) the number of complaints from students enrolled in proprietary institutions of higher education who have submitted a complaint to any member agency of the Committee; and

(XII) the volume of institutional debt, number of students who owe institutional debts, and average amount of institutional debt owed by each student.

(iii) DEPARTMENT OF DEFENSE AND VETERANS AFFAIRS ASSISTANCE.—

(I) IN GENERAL.—To the extent practicable, the report described in subsection (a) shall provide information on the data described in clause (ii) for individuals using, to pay for the costs of attending a proprietary institution of higher education, Federal education assistance provided under—

(aa) chapter 33 of title 38, United States Code;

(bb) section 2007 of title 10, United States Code; and

(cc) section 1784a of title 10, United States Code.

(II) REVENUE.—The report shall provide information on the revenue of proprietary institutions of higher education that are publicly traded corporations that is derived from the Federal education assistance described in subclause (I).

(C) COMPARISON DATA.—To the extent practicable, the report shall provide information comparing the data described in subparagraph (B) for proprietary institutions of higher education that are publicly traded corporations with data for public institutions of higher education disaggregated by State.

(3) ACCOUNTING OF ANY ACTION.—As used in paragraph (1)(B), the term “any negative or adverse action” includes—

(A) a complaint filed by a Federal or State agency in a local, State, Federal, or Tribal court;

(B) an administrative proceeding by a Federal or State agency involving noncompliance with any applicable law or regulation; or

(C) any other review, audit, or administrative process by any Federal or State agency that results in a penalty, suspension, or termination from any Federal or State program.

**SEC. 7. FOR-PROFIT COLLEGE WARNING LIST FOR PARENTS AND STUDENTS.**

(a) IN GENERAL.—Each academic year, the Secretary on behalf of the Committee shall publish a list to be known as the “For-Profit College Warning List for Parents and Students” to be comprised of the names of proprietary institutions of higher education—

(1) that have been sued for financial relief by a Federal or State authority, or through a qui tam action in which the Federal Government has intervened;

(2) that are required to pay a debt or incur a liability from a settlement, arbitration proceeding, or final judgment in a judicial proceeding with a Federal or State agency and the case addresses misrepresentation, fraud, liability under sections 3729 through 3733 of title 31, United States Code (commonly known as the “False Claims Act”), or other borrower-defense-to-repayment claims;

(3) that have pending claims for borrower relief discharge under the borrower defense to repayment regulations from students or former students of the institution and the Secretary has formed a group process to consider the claims;

(4) that have had any eligibility for participation withdrawn or suspended with respect to—

(A) educational assistance in the form of a loan provided under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.);

(B) educational assistance in the form of a grant provided under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.);

(C) educational assistance provided under chapter 33 of title 38, United States Code;

(D) assistance for tuition and expenses under section 2007 of title 10, United States Code;

(E) assistance provided under section 1784a of title 10, United States Code; or

(F) Federal education assistance not described in subparagraphs (A) through (E); or

(5) that have been deemed ineligible to receive Federal education assistance for the next year or required to repay Federal education assistance previously received in an applicable report year.

(b) SUMMARY.—The For-Profit College Warning List for Parents and Students shall include a summary in plain language of the basis of each proprietary institution of higher education’s inclusion on the list.

(c) PROCEDURES.—The Committee shall establish and apply review procedures for the For-Profit College Warning List for Parents and Students, including evaluation and withdrawal proceedings that provide—

(1) for adequate written specification of—

(A) the procedure for identifying proprietary institutions of higher education for inclusion on the list; and

(B) identified deficiencies at the proprietary institutions of higher education; and

(2) for sufficient opportunity for a written response by a proprietary institution of higher education regarding any deficiencies identified by the Committee—

(A) within a timeframe determined by the Committee; and

(B) prior to the final publication of the For-Profit College Warning List for Parents and Students.

(d) PUBLICATION.—

(1) IN GENERAL.—Not later than July 1 of each fiscal year, on behalf of the Committee, the Secretary shall publish the For-Profit College Warning List for Parents and Students prominently and in a manner that—

(A) is easily accessible to parents, current students, prospective students, and other stakeholders; and

(B) does not contain any personally identifiable information.

(2) USE OF PREEXISTING PLATFORM.—The Secretary may incorporate the For-Profit College Warning List for Parents and Students into preexisting, widely used platforms.

## SUBMITTED RESOLUTIONS

## SENATE RESOLUTION 540—REQUESTING INFORMATION ON AZERBAIJAN'S HUMAN RIGHTS PRACTICES PURSUANT TO SECTION 502B(C) OF THE FOREIGN ASSISTANCE ACT OF 1961

Mr. MARKEY (for himself, Mr. CASIDY, Mr. PETERS, Mr. RUBIO, Mr. WHITEHOUSE, Ms. WARREN, Mr. WELCH, Mr. MENENDEZ, and Mr. FETTERMAN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 540

*Resolved,*

## SECTION 1. REQUEST FOR INFORMATION ON AZERBAIJAN'S HUMAN RIGHTS PRACTICES.

(a) STATEMENT REQUESTED.—The Senate requests that the Secretary of State, not later than 30 days after the date of the adoption of this resolution, transmit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate, pursuant to section 502B(c) of the Foreign Assistance Act of 1961 (22 U.S.C. 2304(c)), a statement, prepared in collaboration with the Assistant Secretary of State for Democracy, Human Rights, and Labor and the Office of the Legal Adviser, regarding Azerbaijan's human rights practices.

(b) ELEMENTS.—The statement submitted under subsection (a) shall include the following elements:

(1) All available information about the observance and respect for human rights and fundamental freedoms in Azerbaijan, including information concerning alleged violations of internationally recognized human rights by the Government of Azerbaijan, including—

- (A) unlawful or arbitrary killings;
- (B) torture;
- (C) cruel, inhuman, or degrading treatment or punishment of detainees;
- (D) political prisoners;
- (E) arbitrary arrest or detention;
- (F) the displacement of ethnic Armenians from Nagorno Karabakh;
- (G) restrictions on freedom of assembly, association, and movement;
- (H) pervasive problems with the independence of the judiciary;
- (I) forced disappearances;
- (J) serious restrictions on freedom of speech, expression, and the media;
- (K) severe restrictions on political participation;
- (L) discrimination against women and gender-based violence;
- (M) restrictions on religious freedom;
- (N) serious restrictions on internet freedom;
- (O) existence of the worst forms of child labor; and
- (P) destruction of religious and cultural sites.

(2) A description of the steps that the United States Government has taken—

(A) to promote respect for and observance of human rights in Azerbaijan and by the Government of Azerbaijan, including in the context of the conflict with Armenia and Artsakh (Nagorno-Karabakh);

(B) to discourage any practices in Azerbaijan that are inimical to internationally recognized human rights; and

(C) to publicly or privately call attention to, and disassociate the United States and any security assistance provided for the Government of Azerbaijan from, any practices described in subparagraph (B).

(3) An assessment from the Secretary of State, notwithstanding any practices described in paragraph (2)(B), whether extraordinary circumstances exist that necessitate a continuation of security assistance for Azerbaijan.

(4) If such circumstances exist, a description of the circumstances and the extent to which security assistance should be continued (subject to such conditions as Congress may impose under section 502B of the Foreign Assistance Act of 1961 (22 U.S.C. 2304)).

(5) Other information, including—

(A) an assessment from the Secretary of State of the likelihood that United States security assistance (as defined in section 502B(d) of the Foreign Assistance Act of 1961 (22 U.S.C. 2304(d))) has or will be used in support of Azerbaijani activities related to the conflict with Armenia, aggression against Nagorno-Karabakh (Artsakh), and the blockade of the Lachin Corridor;

(B) a description and assessment of the actions that the United States Government is taking to ensure end use monitoring protocols for all weapons sold or transferred to Azerbaijan;

(C) an assessment of the impact of United States assistance provided to Azerbaijan over the past 10 years has had on the balance of power between Azerbaijan and Armenia, and on efforts to negotiate a durable and lasting peace settlement between Armenia and Azerbaijan;

(D) a description of the United States Government's efforts in Azerbaijan to adhere to the prohibitions in section 620M of the Foreign Assistance Act of 1961 (22 U.S.C. 2378d) and section 362 of title 10, United States Code, against the provision of foreign assistance to security units against which there are credible allegations of human rights violations (commonly referred to as the "Leahy laws") and to ensure that no units implicated in gross violations of human rights receive United States assistance, including information on which units have been rejected in the Leahy vetting process;

(E) an assessment from the Secretary of State of whether ethnic cleansing or genocidal acts have taken or are taking place in Nagorno-Karabakh; and

(F) a determination, within 30 days of passage of this resolution, as to whether Azerbaijani officials found to be responsible for or complicit in, or to have directly or indirectly engaged in, human rights abuses listed in paragraph (1) meet the criteria for sanctions and—

(i) a description of any actions that the United States Government is taking to implement sanctions, including sanctions under the Global Magnitsky Human Rights Accountability Act (22 U.S.C. 10101 et seq.) and section 7031(c) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2020 (division G of Public Law 116-94; 133 Stat. 2864), to hold accountable Azerbaijani officials responsible for gross violations of human rights or significant corruption; or

(ii) a justification for why sanctions have not been imposed on individuals found to meet the criteria for sanctions under existing law.

## SENATE RESOLUTION 541—SUPPORTING THE OBSERVATION OF NATIONAL TRAFFICKING AND MODERN SLAVERY PREVENTION MONTH DURING THE PERIOD BEGINNING ON JANUARY 1, 2024, AND ENDING ON FEBRUARY 1, 2024, TO RAISE AWARENESS OF, AND OPPOSITION TO, HUMAN TRAFFICKING AND MODERN SLAVERY

Mr. GRASSLEY (for himself, Ms. CORTEZ MASTO, Mrs. CAPITO, Mr. WYDEN, Ms. MURKOWSKI, Mr. DURBIN, Ms. COLLINS, Ms. KLOBUCHAR, Mr. BLUMENTHAL, Mr. BROWN, and Ms. BUTLER) submitted the following resolution; which was considered and agreed to:

S. RES. 541

Whereas the United States abolished the transatlantic slave trade in 1808 and abolished chattel slavery and prohibited involuntary servitude in 1865;

Whereas, because the people of the United States remain committed to protecting individual freedom, there is a national imperative to eliminate human trafficking and modern slavery, which is commonly considered to mean—

(1) the recruitment, harboring, transportation, provision, or obtaining of an individual through the use of force, fraud, or coercion for the purpose of subjecting that individual to involuntary servitude, peonage, debt bondage, or slavery; or

(2) the inducement of a commercial sex act by force, fraud, or coercion, or in which the individual induced to perform that act is younger than 18 years of age;

Whereas forced labor and human trafficking generates revenues of at least \$150,000,000,000 annually worldwide, and there are an estimated 50,000,000 victims of human trafficking and modern slavery across the globe;

Whereas victims of human trafficking are difficult to identify and are subject to manipulation, force, fraud, coercion, and abuse;

Whereas children and youths experiencing homelessness are vulnerable and susceptible to manipulation, making them a prime target for the lucrative criminal industry of human trafficking;

Whereas the Department of Justice has reported that human trafficking and modern slavery has been reported and investigated in each of the 50 States and the District of Columbia;

Whereas the Department of State has reported that the top 3 countries of origin of federally identified human trafficking victims in the United States in fiscal year 2021 were the United States, Mexico, and Honduras;

Whereas, to help businesses in the United States combat child labor and forced labor in global supply chains, the Department of Labor has identified 159 goods from 78 countries that are made by child labor and forced labor;

Whereas, since 2007, the National Human Trafficking Hotline has identified 82,301 situations of human trafficking involving 164,839 victims;

Whereas there are known risk factors that contribute to youths running away, including domestic violence, child sexual abuse, and neglect, and runaway youths who experience homelessness are potential targets for human trafficking;

Whereas, in 2023, the National Center for Missing and Exploited Children received over 18,400 reports of possible child sex trafficking;



Whereas, of the more than 28,800 missing children reported to National Center for Missing and Exploited Children in 2023, 1 in 6 were likely victims of child sex trafficking;

Whereas today, the average age of child sex trafficking victims reported missing to the National Center for Missing and Exploited Children is only 15 years old;

Whereas youth experiencing homelessness experience high rates of human trafficking, and 1 in 5 homeless youths is a victim of sex trafficking, labor trafficking, or both;

Whereas 22 percent of youths who experience homelessness were approached for paid sex on their first night of homelessness;

Whereas LGBTQ youths are disproportionately affected, accounting for 33.8 percent of sex trafficking victims;

Whereas youths facing homelessness have a lower probability of being trafficked if they have a supportive adult in their life;

Whereas the Administration for Native Americans of the Department of Health and Human Services reports that American Indian, Alaska Native, and Pacific Islander women and girls have a heightened risk for sex trafficking;

Whereas the Department of Justice found that studies on the topic of human trafficking of American Indians and Alaska Natives suggest there are—

(1) high rates of sexual exploitation of Native women and girls;

(2) gaps in data and research on trafficking of American Indian and Alaska Native victims; and

(3) barriers that prevent law enforcement agencies and victim service providers from identifying and responding appropriately to Native victims;

Whereas, according to the Government Accountability Office, from fiscal year 2013 through fiscal year 2016, there were only 14 Federal investigations and 2 Federal prosecutions of human trafficking offenses in Indian country;

Whereas, to combat human trafficking and modern slavery in the United States and globally, the people of the United States, the Federal Government, and State, Tribal, and local governments must be—

(1) aware of the realities of human trafficking and modern slavery; and

(2) dedicated to stopping the horrific enterprise of human trafficking and modern slavery;

Whereas the United States should hold accountable all individuals, groups, organizations, governments, and countries that support, advance, or commit acts of human trafficking and modern slavery;

Whereas, through education, the United States must also work to end human trafficking and modern slavery in all forms in the United States and around the world;

Whereas victims of human trafficking deserve a trauma-informed approach that integrates the pursuit of justice and provision of social services designed to help them escape, and recover from, the physical, mental, emotional, and spiritual trauma they endured;

Whereas combating human trafficking requires a whole-of-government effort that rests on a unified and coordinated response among Federal, State, Tribal, and local agencies and that places equal value on the prevention of trafficking, the identification and stabilization of victims, and the investigation and prosecution of traffickers;

Whereas laws to prosecute perpetrators of human trafficking and to assist and protect victims of human trafficking and modern slavery have been enacted in the United States, including—

(1) the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7101 et seq.);

(2) title XII of the Violence Against Women Reauthorization Act of 2013 (Public Law 113-4; 127 Stat. 136);

(3) the Justice for Victims of Trafficking Act of 2015 (Public Law 114-22; 129 Stat. 227);

(4) sections 910 and 914(e) of the Trade Facilitation and Trade Enforcement Act of 2015 (Public Law 114-125; 130 Stat. 239 and 274);

(5) section 1298 of the National Defense Authorization Act for Fiscal Year 2017 (22 U.S.C. 7114);

(6) the Abolish Human Trafficking Act of 2017 (Public Law 115-392; 132 Stat. 5250);

(7) the Trafficking Victims Protection Act of 2017 (Public Law 115-393; 132 Stat. 5265);

(8) the Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act of 2018 (Public Law 115-425; 132 Stat. 5472);

(9) the Trafficking Victims Protection Reauthorization Act of 2017 (Public Law 115-427; 132 Stat. 5503);

(10) the Violence Against Women Act Reauthorization Act of 2022 (Public Law 117-103; 136 Stat. 840);

(11) the Abolish Trafficking Reauthorization Act of 2022 (Public Law 117-347; 136 Stat. 6199);

(12) the Trafficking Victims Prevention and Protection Reauthorization Act of 2022 (Public Law 117-348; 136 Stat. 6211); and

(13) the End Human Trafficking in Government Contracts Act of 2022 (Public Law 117-211; 136 Stat. 2248);

Whereas the Justice for Victims of Trafficking Act of 2015 (Public Law 114-22; 129 Stat. 227) established the United States Advisory Council on Human Trafficking to provide a formal platform for survivors of human trafficking to advise and make recommendations on Federal anti-trafficking policies to the Interagency Task Force to Monitor and Combat Trafficking established by the President;

Whereas the Department of Defense, the General Services Administration, and the National Aeronautics and Space Administration issued a final rule (80 Fed. Reg. 4967) to implement Executive Order 13627, entitled “Strengthening Protections Against Trafficking in Persons in Federal Contracts”, that clarifies the policy of the United States on combating trafficking in persons as outlined in the Federal Acquisition Regulation by strengthening the prohibition on contractors from charging employee recruitment fees;

Whereas, although such laws and regulations are currently in force, it is essential to increase public awareness, particularly among individuals who are most likely to come into contact with victims of human trafficking and modern slavery, regarding conditions and dynamics of human trafficking and modern slavery, precisely because traffickers use techniques that are designed to severely limit self-reporting and evade law enforcement;

Whereas January 1 is the anniversary of the effective date of the Emancipation Proclamation;

Whereas February 1 is—

(1) the anniversary of the date on which President Abraham Lincoln signed the joint resolution sending the 13th Amendment to the Constitution of the United States to the States for ratification to forever declare, “Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction”; and

(2) a date that has long been celebrated as National Freedom Day, as described in section 124 of title 36, United States Code; and

Whereas, under the authority of Congress to enforce the 13th Amendment to the Constitution of the United States “by appropriate legislation”, Congress, through the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7101 et seq.), updated the post-Civil

War involuntary servitude and slavery statutes and adopted an approach of victim protection, vigorous prosecution, and prevention of human trafficking, commonly known as the “3P” approach: Now, therefore, be it

*Resolved*, That the Senate supports—

(1) observing National Trafficking and Modern Slavery Prevention Month during the period beginning on January 1, 2024, and ending on February 1, 2024, to recognize the vital role that the people of the United States have in ending human trafficking and modern slavery;

(2) marking the observation of National Trafficking and Modern Slavery Prevention Month with appropriate programs and activities, culminating in the observance on February 1, 2024, of National Freedom Day, as described in section 124 of title 36, United States Code;

(3) urging continued partnerships with Federal, State, Tribal, and local agencies, as well as survivors of human trafficking, social service providers, and nonprofit organizations to address human trafficking with a collaborative, victim-centered approach; and

(4) all other efforts to prevent, eradicate, and raise awareness of, and opposition to, human trafficking and modern slavery.

SENATE CONCURRENT RESOLUTION  
27—RECOGNIZING THE  
NEED FOR RESEARCH, EDUCATION,  
AND POLICY DEVELOPMENT  
REGARDING HIGH-PO-  
TENCY MARIJUANA

Mr. RICKETTS submitted the following concurrent resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. CON. RES. 27

Whereas the use of high-potency marijuana has become increasingly prevalent across the United States;

Whereas the average potency of delta-9-tetrahydrocannabinol (commonly known as “THC”), the major psychoactive component in marijuana, increased by 287 percent between 1995 and 2021, from 3.96 percent potency to 15.34 percent potency;

Whereas adolescent and teen marijuana abuse increased by 245 percent from 2000 to 2020;

Whereas the perceived risk of weekly marijuana use decreased from 47.5 percent to 27.4 percent among adolescents in the past decade;

Whereas cannabis use disorder among teens increased by 25 percent after the enactment of recreational marijuana legalization;

Whereas increased potency levels correspond with greater health risks, with research showing that daily use of THC with a potency greater than 15 percent results in a 5 times increased risk of psychosis;

Whereas only 3 States have enacted potency caps on marijuana flower or concentrates;

Whereas the use of high-potency marijuana has been linked to potential adverse health effects, including mental health disorders and cognitive impairment;

Whereas education and awareness programs are essential to inform the public about the potential risks associated with the use of high-potency marijuana; and

Whereas a bipartisan effort is necessary to develop evidence-based policies to address the increasing prevalence of high-potency marijuana: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring),*

**SECTION 1. SHORT TITLE.**

This concurrent resolution may be cited as the "Randy's Resolution".

**SEC. 2. RECOGNIZING THE NEED FOR RESEARCH, EDUCATION, AND POLICY DEVELOPMENT REGARDING HIGH-POTENCY MARIJUANA.**

(a) SENSE OF CONGRESS.—It is the sense of Congress that Federal agencies, including the Drug Enforcement Administration, the National Institutes of Health, and the Centers for Disease Control and Prevention, should conduct and support research on the health effects of high-potency marijuana and its impact on vulnerable populations such as youth.

(b) RESOLVING MATTERS.—Congress—

(1) supports the development of educational programs at the Federal, State, and local levels to inform the public about the potential risks associated with the use of high-potency marijuana, especially among youth; and

(2) urges Federal, State, and local governments to collaborate with public health organizations, medical professionals, and community stakeholders to develop evidence-based policies that address the public health and safety concerns associated with high-potency marijuana.

**AUTHORITY FOR COMMITTEES TO MEET**

Mr. SCHATZ. Madam President, I have two 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 ARMED SERVICES**

The Committee on Armed Services is authorized to meet during the session of the Senate on Thursday, February 1, 2024, at 10 a.m., to conduct a hearing on a nomination.

**COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS**

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Thursday, February 1, 2024, at 10 a.m., to conduct a hearing.

**PRIVILEGES OF THE FLOOR**

Mr. WYDEN. Madam President, I ask unanimous consent that the following members of our team be granted floor privileges for the remainder of the Congress: Steven Mapes, Jordan Harrington, and Janelle Conrad.

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

**RECOGNIZING JANUARY 2024 AS NATIONAL MENTORING MONTH**

Mr. SCHATZ. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be discharged from further consideration and the Senate now proceed to S. Res. 529.

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

The clerk will report the resolution by title.

The legislative clerk read as follows: A resolution (S. Res. 529) recognizing January 2024 as "National Mentoring Month".

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

Mr. SCHATZ. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table.

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

The resolution (S. Res. 529) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of January 18, 2024, under "Submitted Resolutions.")

**SUPPORTING THE OBSERVATION OF NATIONAL TRAFFICKING AND MODERN SLAVERY PREVENTION MONTH**

Mr. SCHATZ. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 541, which is at the desk.

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

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 541) supporting the observation of National Trafficking and Modern Slavery Prevention Month during the period beginning on January 1, 2024, and ending on February 1, 2024, to raise awareness of, and opposition to, human trafficking and modern slavery.

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

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

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

The resolution (S. Res. 541) was agreed to.

The preamble was agreed to.

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

**ORDERS FOR FRIDAY, FEBRUARY 2, 2024, THROUGH MONDAY, FEBRUARY 5, 2024**

Mr. SCHATZ. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 3 p.m. on Monday, February 5; 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 Campbell nomina-

tion; further, that the Senate vote on confirmation of the Laroski nomination at 5:30 p.m.; finally, that if any nominations are confirmed during Monday's session, that 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.

**ORDER FOR ADJOURNMENT**

Mr. SCHATZ. Mr. President, if there is no further business to come before the Senate, I ask that it stand adjourned under the previous order following the remarks of Senator DUCKWORTH.

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

The PRESIDING OFFICER. The Senator from Illinois.

**IRAN**

Ms. DUCKWORTH. Mr. President, if you listen closely right now, you can hear the drums of war gain momentum. I know that sound. It is the same sound that led me to deploy to a dusty desert outpost in Iraq 20 years ago, where I served alongside some of the bravest men and women you could ever meet. It is the same sound that, ultimately, led me to run for office, a decision I only made after I was shot down in Iraq, when I found myself searching for a new mission to serve my Nation.

I found that mission in giving a voice to every veteran who had willingly sacrificed so much answering their Nation's call to serve, and I found it in speaking up for the Active-Duty troops still waking up in dusty base camps throughout the Middle East, still serving tour after tour, bleeding—even dying—thousands of miles away because they had sworn an oath to defend a country they loved, no matter what it cost them.

And that sound is why, a few minutes ago, I wheeled myself to this desk with the same purpose that took me first to battle, then the campaign trail: And that is to help keep America as strong as she can be and to try to look out for the troops who never stop looking out for the rest of us.

Today, I am here in this beautiful chamber with privilege all around me to beg of my colleagues one simple thing: As tensions in the Middle East escalate, please, from this place of safety and comfort, think of the sacrifices our servicemembers make every single day. Please, as the drums of war grow louder, honor our servicemembers by thinking of what we would be asking them to risk if we risk an expanded conflict with Iran.

On Sunday morning, we all woke to the tragic, horrific news that three American soldiers were killed in an Iran-backed attack in Jordan. I imagine many who saw the news may not have even known that we had U.S. servicemembers stationed in Jordan, but I was acutely aware of it. In fact,

just 24 hours earlier, I had woken up in Illinois and helped to send almost 300 Illinois National guardsmen off to start their mission in the CENTCOM area of operation, the exact AO where this attack took place.

And since Sunday, I don't think I have gone a waking hour without thinking about the brave servicemembers who lost their lives—SGT William Jerome Rivers, SGT Kennedy Ladon Sanders, and SGT Breonna Alexsondria Moffett—and each of them was willing to sacrifice the unimaginable to keep our Nation safe. They are our heroes.

During this impossible time, my thoughts are with their families, who will never be able to say "I love you" in person to them again. And my thoughts are with the more than 40 other servicemembers who were wounded in the blast, with at least three among them having severe enough injuries that they had to be evacuated to Germany.

It is clear that we must forcefully and swiftly make those responsible pay for the devastation they have wrought and send a message that these attacks against our servicemembers will not be tolerated. But we must do this with clear eyes, a steady hand, and a clear, strategic end goal in mind, seeking justice and, ultimately, a swift end to these threats to our troops.

I don't have all the details yet, but based on initial reports, it seems that President Biden's planned response will do just that. It looks like it will be a well-thought-out, strong rebuttal that aims to deter Iran from supporting further attacks on U.S. troops without risking boiling tensions even further, because this is a uniquely dangerous moment, and the message we send to Iran must make war less likely, not more.

After all, after decades of forever wars in the region, the last thing we want is to send those who volunteer to serve our country into another endless, senseless conflict. And if we want to adequately honor the sacrifices of the three servicemembers killed last week, we must remain focused on preventing their brothers and sisters at arms from dying in a preventable war on foreign soil.

Sadly, over the past few days, some of my Republican colleagues have been making reckless, irresponsible comments that risk dangerously escalating tensions. They have been throwing rocks, chest thumping over social media, beating the drums of war, demanding that the President ramp up the temperature, that he "hit Iran now and hit them hard."

Look, I ran for Congress so that when those drums of war started beating, I would be in a position to make sure that our leaders in Washington fully consider the cost of war—not just in dollars and cents but in the sacrifices and blood of our troops. So I have come to the floor today, as those drums echo louder than they have in years, to keep my promise to do our troops justice, to beseech my colleagues to let cool heads, common sense, and sound strategy prevail over reckless impulses.

And, if necessary, I will come back to this Chamber day after day after day, speaking from this wheelchair that I earned the last time Congress rashly sent our sons and daughters into another endless, senseless war, ensuring that, this time, we do right by our troops by fully, soberly, considering the consequences of these decisions on those who serve and their families.

Listen, I am no dove. After all, I volunteered to fight in a war that I deeply disagreed with. So I am certainly not opposed to war when it is necessary to defend this great Nation. And I am not opposed to striking Iranian assets, if our approach is smart, limited, and strategically calibrated to end the spiral of violence that threatens our servicemembers.

But I will also do everything in my power to remind those who, today, are so eagerly pushing us down the path to war that there are serious repercussions involved for the Americans who would actually be in harm's way, even if they may not be filled by politicians here in Washington.

Under both the Federal law known as the War Powers Act and article I of the Constitution, only Congress has the solemn responsibility of deciding when and how the United States sends its troops into war.

So if Republicans really want to risk war with Iran, then they owe it to our troops to bring an authorization for use of military force to the floor. Instead of hiding behind social media accounts and television interviews, bring that debate to this Chamber so we can actually fulfill our duty and begin the serious business of considering the merits and drawbacks of such a conflict.

So that as we ask them to sacrifice so much, our troops downrange would at least know what their mission is, what their goals are, and that their leaders in Washington both have their backs and are following the Constitution that they are willing to die to protect and defend.

Whenever Republicans are ready—if they are ever ready—I am here to par-

ticipate in that debate. And if their arguments for war are strong enough, I owe it to my constituents to consider and vote on the merits of them.

I, myself, would be the first to volunteer, if they could have use of a gimp former Black Hawk pilot, but I will go. I can pack my ruck in 15 minutes, if needed. But for now, with those drums pounding once more, I just want to ask each of my colleagues to take a moment to think about the true cost of war for all those servicemembers still at risk at dusty desert bases thousands of miles away.

I personally cannot go a moment without forgetting them.

I yield the floor.

ADJOURNMENT UNTIL MONDAY,  
FEBRUARY 5, 2024, AT 3 P.M.

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned.

Thereupon, the Senate, at 3:54 p.m., adjourned until Monday, February 5, 2024, at 3 p.m.

#### NOMINATIONS

Executive nominations received by the Senate:

##### UNITED STATES TAX COURT

ROSE E. JENKINS, OF THE DISTRICT OF COLUMBIA, TO BE A JUDGE OF THE UNITED STATES TAX COURT FOR A TERM OF FIFTEEN YEARS, VICE ELIZABETH CREWSON PARIS, TERM EXPIRED.

KASHI WAY, OF MARYLAND, TO BE A JUDGE OF THE UNITED STATES TAX COURT FOR A TERM OF FIFTEEN YEARS, VICE MARK VAN DYKE HOLMES, TERM EXPIRED.

ADAM B. LANDY, OF SOUTH CAROLINA, TO BE A JUDGE OF THE UNITED STATES TAX COURT FOR A TERM OF FIFTEEN YEARS, VICE DAVID GUSTAFSON, TERM EXPIRED.

##### THE JUDICIARY

AMIR H. ALI, OF THE DISTRICT OF COLUMBIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF COLUMBIA, VICE BERYL ALAINE HOWELL, RETIRING.

MELISSA R. DUBOSE, OF RHODE ISLAND, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF RHODE ISLAND, VICE WILLIAM E. SMITH, RETIRING.

SUNIL R. HARJANI, OF ILLINOIS, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF ILLINOIS, VICE THOMAS M. DURKIN, RETIRED.

ROBERT J. WHITE, OF MICHIGAN, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF MICHIGAN, VICE PAUL D. BORMAN, RETIRED.

JASMINE HYEJUNG YOON, OF VIRGINIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF VIRGINIA, VICE MICHAEL FRANCIS URBANSKI, RETIRING.

REBECCA SUZANNE KANTER, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF CALIFORNIA, VICE WILLIAM Q. HAYES, RETIRED.

#### CONFIRMATION

Executive nomination confirmed by the Senate February 1, 2024:

##### THE JUDICIARY

LISA W. WANG, OF THE DISTRICT OF COLUMBIA, TO BE A JUDGE OF THE UNITED STATES COURT OF INTERNATIONAL TRADE.