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No. 44

## Senate

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

The PRESIDING OFFICER. The Senate will be opening in prayer by our guest Chaplain, Bishop Larry Lawrence Brandon, pastor of the Praise Temple Church and the Evergreen Missionary Baptist Church in Louisiana and Oakland, CA.

### PRAYER

The guest Chaplain offered the following prayer:

Let us pray.

Almighty and everlasting God, who guides the stars and hold our hearts, I humbly seek Your divine presence as the Senate gathers in solemn duty.

God, guide the Senators of this great Nation, the United States. I pray for Your wisdom to light their path, courage to uphold the truth, and compassion to serve with integrity. May the Senators be stewards of peace, fostering unity where there is division and bringing hope to the places dimmed by despair. Grant our Senators the vision to see beyond the immediate to the future, where justice and liberty flourish for all.

God, bless their deliberations. May their decisions forge a stronger, more inclusive society, where every voice is heard, every life is valued, and every action is measured by its benefit to the common good.

Holy One, help us walk together in peace, live together in justice, and stand together in unity.

God bless America. Amen.

### PLEDGE OF ALLEGIANCE

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

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

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The senior assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, March 12, 2024.

To the Senate:

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

PATTY MURRAY,  
President pro tempore.

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

### RESERVATION OF LEADER TIME

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

### CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

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

The senior assistant legislative clerk read the nomination of Jasmine Hyejung Yoon, of Virginia, to be United States District Judge for the Western District of Virginia.

The ACTING PRESIDENT pro tempore. The Senator from Louisiana.

### WELCOMING THE GUEST CHAPLAIN

Mr. CASSIDY. Mr. President, I have the privilege to speak briefly about my friend, Bishop Larry Brandon, who opened up the Senate with prayer. I feel like, with all these pastors—you and Chaplain Barry Black and Bishop Brandon—he is also a remarkable man who has a church in Shreveport, LA, and also in Oakland, CA.

I say: How do you do it?

He goes: Every other week.

He regards his ministry not just to the soul but also to the body. I say that as a doctor, recognizing how the two can be intertwined.

When I first met him, he was about twice as big as he is now. We saw each other at breakfast, and I said: Bishop, you lost weight, man?

He said: I am glad you noticed. Eight-five pounds. If you don't notice 85 pounds, boy, are you blind.

He has done that not only for his own health but for the physical, emotional, and spiritual health of his congregation.

We know I am a doctor. At times, people slip off that diet. We are in Louisiana; so you always have good food.

He says: We never condemn; we never condone. We just always support.

I am speaking about his ministry to their health and also his ministry to their spirit. When we in this Congress adopt that—we don't condemn each other, we don't condone bad behavior, but we work together to support one another for the betterment of our physical, our emotional, and spiritual health—that is a tribute to our bishop.

Thank you.

I yield the floor.

### RECOGNITION OF THE MAJORITY LEADER

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

Mr. SCHUMER. Mr. President, thank you. We had three bishops here—three pastors. Now we just have one, but one is very good, too. The presence of God is in this Chamber.

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



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S2351

PRESIDENT ANDRZEJ DUDA

Mr. President, today, Leader MCCONNELL and I will be honored to welcome Andrzej Duda, the President of Poland, to the Senate. President Duda arrives in the United States at a critical moment for American leadership and a critical moment for the war in Ukraine.

It has been nearly a month since the Senate passed a bipartisan national security supplemental with 70 votes in support. This supplemental package is a lifeline for Ukraine's survival, the only package on the table with enough resources to stop Russia's advance and help Ukraine reclaim the offensive.

According to a CNN report yesterday, right now, Russia is producing three times—three times—more artillery shells than the United States and Europe. In a very real sense, the war will turn on who can produce and deliver more munitions. That is what this supplemental will do.

I thank President Duda for his visit, and I thank him for being a staunch defender of the Ukrainian war effort. His support for Ukraine shows the war in Russia has stakes that extend far beyond Ukraine's borders. It implicates the very survival of Western democracy.

A little less than a month ago, I joined with Senators REED, BLUMENTHAL, HASSAN, and BENNET to travel to Eastern Europe, not just to Ukraine but to Poland, where we met with the U.S. Ambassador and U.S. military leaders. We met with U.S. military officials just a short distance from the Russian border. And the military official told us:

Senator, without U.S. aid, Russia will control the territory we are standing on now. Period.

Imagine that. Russia will control that territory without the aid. That is what they said.

The consequences of a victorious Putin are very plain. If he succeeds in taking Ukraine, he is not going to stop there. What Putin wants is to destabilize the NATO alliance and permanently undo the balance of power that has kept the peace since World War II and since the end of the Cold War. That is why it is a matter of highest urgency that Speaker JOHNSON and House leadership put the Senate's bipartisan supplemental package on the House floor, because, if he does—mark my words—it will pass. If he puts it on the floor, it will pass.

House Republicans need to do the right thing and answer democracy's cry for help. House Republicans must show the world with whom it is that they cast their lot: those who support freedom and democracy and, hopefully, not those who bow down to autocrats.

Last Friday, former President Trump met with Hungarian Prime Minister Viktor Orban at Mar-a-Lago, for what they called a "friendly" visit. A few days later, Orban said, during a Hungarian interview, that Trump's position on the war in Ukraine is "very

clear"; that "first, he will not give a single penny for the Russo-Ukrainian war. That's why the war will end, because it's obvious that Ukraine cannot stand on its own two feet." That is Orban saying just what Trump will do.

I hope our Republican colleagues will hear that and heed the message. It is disgusting that Donald Trump fraternizes with thugs like Orban who openly cheer for Putin to win. It is even worse that so many extreme Republicans in Congress are doing Trump's bidding by stalling Ukraine aid here in Congress. That is not a majority of Republicans, but too many just go along. That is the shame of it.

You can be sure that the Chinese Communist Party is taking note of House Republicans who are thwarting American support for its friend in need and assessing what that means for their own ambitions in the South Pacific. I guarantee it.

History will not be kind to those who turn their backs on American values in this pivotal moment. That is why this supplemental must get done. The Speaker must do the right thing and put the supplemental on the floor of the House because it will pass. The clock is ticking. Failure right now only guarantees that America will pay a much higher price—a much higher price—down the line.

#### GOVERNMENT FUNDING

Mr. President, on appropriations, we have 10 days left for both parties in both Chambers to finish the work of fully funding the government. Both parties continue making progress on appropriations related to Defense, Financial Services, Homeland Security, Labor and Health and Human Services and Education, the Legislative Branch, and State and Foreign Operations.

Both parties took a huge step last week when we passed the first six appropriations bills with strong bipartisan support. We protected important programs for moms and kids, for veterans, for the environment, for housing, and for so much more. But the job is only halfway done, and passing the second group of appropriations bills, of course, is not going to be easy. We got a lot of bipartisan momentum last week when we avoided the government shutdown on Friday, but both sides are going to have to keep working in good faith to keep that momentum alive.

Just as the hard right was tuned out in last week's appropriations bills, they should be tuned out again because they clearly only delay the process instead of moving it along.

It is going to take bipartisanship to ensure our military is fully supported and our troops are taken care of. It is going to take bipartisanship to fund the resources necessary to keep the Chinese Communist Party at bay. And it is going to take bipartisanship to make sure we take care of military families and provide their kids with childcare, healthcare, and everything else they need to live in dignity and strength.

These are the things at stake in the upcoming funding deadline: outcompeting the Chinese Communist Party, taking care of military families, keeping Americans safe around the world.

So Democrats will continue working with Republicans to finish the job. It can only be done in a bipartisan way. We know that.

Thanks to my colleagues Chair MURRAY, Vice Chair COLLINS. Thanks to all the appropriators and their staffs and my staff, as well, that worked so hard on this. Let's make sure we keep last week's momentum going so we can finish the job.

#### PRESIDENT BIDEN'S BUDGET

Mr. President, on the Biden budget, yesterday, President Biden released a budget proposal laying out a bold, optimistic, responsible path for America. The President's budget shows the stark contrast between the Democrats' positive, proactive vision and the Republican's negative, regressive vision for our Country.

Democrats want to lower costs for working families. President Biden's budget includes actions to reduce the price of prescription drug costs, to cut taxes for middle- and low-income Americans, and to restore the child tax credit.

Republicans have made it clear they have no interest in lowering costs for working families and would rather help the wealthy get even wealthier.

Democrats want to protect programs like Social Security and Medicare. President Biden's budget protects and strengthens these vital programs, which tens of millions of Americans rely on every single day.

Republicans have fought relentlessly to slash funding for Social Security and Medicare, which would have devastating consequences for the American people.

Democrats want to make the Tax Code fairer, while cutting the deficit. President Biden's budget ends the reckless Trump-era tax scam that overwhelmingly cut taxes for the wealthiest few and large corporations. It left working families out to dry.

And President Biden's budget proposes measures to cut the deficit by nearly \$3 trillion—\$3 trillion—over the next decade.

This is the President's budget in a nutshell: lower costs, stronger Social Security, stronger Medicare, more investments in America and the American people, all while reducing the deficit. That is something we can all get behind.

#### REPRODUCTIVE RIGHTS

Mr. President, finally, on the VA IVF rule, after the stunningly radical decision by the Alabama Supreme Court jeopardizing access to IVF, yesterday, Americans received some encouraging news. Yesterday, the VA announced it is expanding access to IVF to more of our veterans, giving many more of our Nation's heroes the opportunity to raise and grow a family.

Senator MURRAY has been a decades-long champion of expanding IVF access to our veterans and servicemembers, and I thank her for her work, which no doubt helped make yesterday's announcement possible.

Our veterans and servicemembers have sacrificed so much for our country. We owe it to them to provide, protect, and expand access to health services like IVF.

Democrats remain absolutely committed to doing everything we can to protect women, families, and reproductive freedom—especially for those who have served our country in uniform.

I yield the floor.

I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

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

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

#### RECOGNITION OF THE MINORITY LEADER

The Republican leader is recognized.

#### PRESIDENT BIDEN'S BUDGET

Mr. MCCONNELL. Mr. President, yesterday, President Biden released his budget request for the next fiscal year. Here is the top line: He wants the American people to take on more than \$16 trillion in cumulative deficits over the next decade. The President who told the Nation last week that he was cutting the deficit just put out a budget request that would do the exact opposite.

Unfortunately, this is hardly the only pledge that President Biden's request would break. After repeatedly promising not to raise taxes on households making less than \$400,000 a year, the President is now selling a plan that would heap \$5 trillion in new and expanded taxes on American workers and job creators.

Let's put this in perspective. The Biden administration's budget proposal would raise taxes as a share of the U.S. economy to levels our Nation hasn't seen since World War II.

Let me say that again. President Biden wants to bring taxes as a share of GDP higher than they have been since the middle of the fight against Nazi Germany and Imperial Japan.

Now, I have been pretty frank in my assessment that the threats America is facing today are as dangerous as we have seen since the Cold War, if not the era of the Axis Powers. But here is the rub: The President apparently only wants to tax the American people at wartime levels. By contrast, he shows no interest in the sort of defense investments that were needed to squeeze the Soviets in the 1980s, let alone to liberate Europe and Asia in the 1940s.

It is far more expensive to fight wars than to deter them. American defense spending during World War II spiked at 37 percent of GDP; during the Korean war, 14 percent of GDP; Vietnam, 9 per-

cent of GDP. By contrast, the Reagan buildup that helped end the Cold War hit only 6 percent of GDP in 1986. But today, in a renewed era of major power competition, the Biden administration appears to lack the will even to sustain such credible deterrence.

Here lies another broken promise: After engaging in political hostage-taking over the debt limit last year, the Biden administration apparently doesn't intend to honor their own agreement on spending limits. The latest budget request uses accounting gimmicks to blow clear through agreed-upon limits for domestic discretionary spending. Yet, at the same time, administration officials insist it should "not have been a surprise" that the President sees spending caps on national defense as sacrosanct.

Of course, this reckless behavior follows a predictable pattern. Under this Commander in Chief, U.S. military faces the same historic inflation as everyone else in our country. As gas and groceries get more expensive, so do the capabilities our servicemembers need.

Yet this is the fourth straight time the Biden administration has turned in a defense budget request that amounts to a net cut after inflation. Apparently, the President hadn't yet learned the lessons of Bidenomics; instead, for more than 3 years, a global superpower has responded to growing coordination amongst its major adversaries, a restored haven for terrorists in Afghanistan, the first major land war in Europe since 1945, the deadliest slaughter of Jews since the Holocaust on October 7 in Israel, and breakneck military spending and modernizations from our top strategic rival but cutting our own military strength.

In a budget request full of gross excess in all the wrong places, neglecting the national defense is the takeaway that history will remember as the most alarming.

#### NOMINATION OF ADEEL ABDULLAH MANGI

Mr. President, now on another matter, when a nominee finds himself in trouble, it is interesting to note how people react. It has been particularly notable in the case of President Biden's radical pick for the Third Circuit Court of Appeals.

I have spoken many times about Mr. Mangi, first to lay out his highly troubling affiliation with a center that promoted anti-Semitism and Islamic terror and then to explain his equally disturbing affiliation with those who would enable cop killers.

We have received letter after letter from Jewish organizations and police groups expressing their outrage at this nomination. The hurt they express is particularly palpable.

But Democrats have gone into overdrive to keep this foundering pick. They have breathlessly invoked his religious identity, continuing their recent practice of asserting that demographics alone are a sufficient reason to justify life tenure on the Federal bench.

They have shaken the bushes for new letters of support, and the results have been interesting, to say the least. One came from Muslims for Progressive Values, MPV. This came as no surprise given that Mr. Mangi served on their board as recently as 2020.

Basic research into the organization makes me wonder what he ever did to deserve such an endorsement. For example, MPV has called on the U.N. to monitor domestic law enforcement tactics due to systemic racism. They have recommended viewing a video with an anti-racism expert who suggested that a notorious cop killer was an innocent "political prisoner." MPV's social media showcases post after post describing Israel's response to Hamas as genocide and accusing Israel of war crimes. It is nothing less than sustained opposition against an American ally.

Republicans presented evidence that Mr. Mangi aligns himself with anti-Israel radicals and supporters of cop killers. His defenders responded with an indignant letter from an organization of anti-Israel radicals who support cop killers.

Mr. Mangi's nomination is in a quicksand of radicalism. The more the Biden administration tries to save it, the more radicalism pulls it down.

Contrast this with Mr. Mangi's law firm. While his extremist friends from his radical boards are doubling down on their support, Mr. Mangi's elite firm seems to be saying "not so fast, he doesn't speak for us."

During the Judiciary Committee investigation into this nominee, they found that his firm is a listed sponsor of a law fellowship at the same anti-Semitic center at Rutgers that Mr. Mangi advised. But now a look at the center's website will show that the law firm's name has been removed. Indeed, the firm confirmed to the Judiciary Committee that it asked to be removed after learning about the center's outrageous activities. The firm said, "Having had the opportunity to review" the center's activities, it "will not continue to support."

Traditional liberals are distancing themselves from Mr. Mangi while radicals embrace him.

The Senate should reject him.

I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

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

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

The Republican whip.

#### BIDEN ADMINISTRATION

Mr. THUNE. Mr. President, President Biden came to Congress on Thursday night to deliver the State of the Union Address. And, unfortunately, it was exactly what you might expect from the President: the same old tired tax-and-

spend proposals, a far-left agenda, and a couple—or I should say—a complete failure to address some of the biggest challenges facing the country.

Let's step back in time for a minute to the beginning of the President's administration. Mr. President, 3 years ago this month, the President signed into law a massive and partisan \$1.9 trillion spending bill under the guise of COVID relief, despite the fact that Congress had just passed a fifth—fifth—bipartisan COVID bill that met, essentially, all current pressing COVID needs.

Economists, including some left-leaning economists—warned at the time that the bill ran the risk of setting off inflation. But Democrats and the President proceeded anyway. And every American knows what resulted—an inflation crisis that saw inflation reach its highest level in more than 40 years. An inflation crisis that, 3 years later, still—still—isn't over.

But if you thought 3 years of inflation had taught President Biden to be wary of excessive government spending, you would be wrong. The President's State of the Union address was bursting with ideas for new spending—and new taxes to go along with them.

Yet the President had the audacity to claim that he is “delivering real results in fiscally responsible ways.”

Well, when you have passed an unnecessary \$1.9 trillion spending bill that plunged the country into an inflation crisis from which it has not still emerged, I would think you might be cautious about asserting any claims to fiscal responsibility.

But the President isn't overly troubled by the facts in these matters. He went on to assert that he has cut the Federal deficit by more than \$1 trillion, a deceptive claim he has repeated so often that it earned him a “Bottomless Pinocchio” from the Washington Post's Fact Checker column.

As CNN put it in its State of the Union fact check, “Biden's actions have clearly added to deficits.”

Mr. President, the President's address featured lots of new spending ideas and proposals for new taxes. What it didn't feature was solutions to the challenges that are actually facing the American people.

The President didn't get around to discussing the border and inflation—two of the biggest issues on the minds of Americans—until around halfway through his speech. And even then—even then—it was not to offer solutions; it was to dodge responsibility for these crises.

Despite the fact that the crisis at our southern border is a direct result of President Biden's policies, the President spent his entire discussion of the border suggesting that it is Congress's responsibility to act.

President Biden created this border crisis, and he has the power to end it. And he could start today.

For example, the President could crack down on abuse of the asylum sys-

tem by tightening the standard for asylum claims, which could help weed out many of the specious claims that are being made that allow individuals to get years of, essentially, legal permanent residence.

But I don't think the President is really interested in securing the border. He is interested, however, in preventing the border crisis from hindering his reelection. So he is taking steps to put the blame anywhere but on himself.

As for inflation, well, the President has tried a variety of tactics for messaging on inflation, from minimizing the crisis to blaming it on others. In the State of the Union, he trotted out his latest blame-deflecting strategy, complaining about so-called shrinkflation. I hate to tell the President this, but a 10-percent shrinkage in the size of a Snickers bar is not the reason why Americans are paying \$1,000 more a month these days to maintain the same standard of living they had when the President took office. Shrinkflation is not an explanation for the inflation crisis the President helped create. It is just one more attempt by the President to shift the blame.

There are a lot of other things I could say about the President's speech. I could talk about the President once again touting his Green New Deal policies, including his plan to install 500,000 electric vehicle charging stations, even as our electric grid heads for disaster. I could talk about how disappointed I was that the President chose to resurrect the ugly moments early in his Presidency when he and his Democratic colleagues attempted to manufacture a nonexistent voter suppression crisis in order to justify legislation to give Democrats a permanent advantage in elections.

And, of course, I thought it was deeply sad that the President's definition of freedom seems to be mostly centered around abortion. The way the President made it sound in his speech, the core American freedom these days is the right to kill unborn Americans.

Well, there is a lot more to say, but I will stop here. Suffice it to say that if Americans were looking for solutions to the challenges facing our country, they did not hear them in the State of the Union.

I yield the floor.

JASMINE HYEJUNG YOON

Mr. DURBIN. Mr. President, today, the Senate will vote to confirm Jasmine Hyejung Yoon to the U.S. District Court for the Western District of Virginia.

Ms. Yoon received her B.A. with distinction from the University of Virginia and her J.D. from the University of Virginia School of Law. After beginning her legal career in private practice with Cromwell & Moring LLP, she clerked for Judge James C. Cacheris of the U.S. District Court for the Eastern District of Virginia. She then served as an assistant U.S. attorney for the East-

ern District of Virginia from 2010 to 2016, serving in both the Richmond and Alexandria Divisions. As an AUSA, she investigated and prosecuted over 80 financial crimes, including those involving public corruption, bribery, and the Foreign Corrupt Practices Act.

After spending a few years as associate director of annual giving for the University of Virginia Law School Foundation, Ms. Yoon became the associate university counsel in the University of Virginia Office of the University Counsel. In this role, she worked with the Virginia Attorney General's Office and the university to provide legal advice to the board of visitors and university leadership on matters ranging from risk and liability management, to campus security and safety. In 2021, she took over as interim university counsel and led the team of attorneys in the office of university counsel.

Since 2022, Ms. Yoon has been the vice president for corporate integrity, ethics, and investigations at Capital One Financial Corporation, where she handles all internal investigations, ethics programs, and anti-corruption programs.

The American Bar Association unanimously rated Ms. Yoon “well qualified” to serve on the Federal bench, and she has the strong support of both of her home State Senators, Mr. WARNER and Mr. KAINE. Her breadth of experience and knowledge of the Western District of Virginia make her well-positioned to serve on the bench with distinction.

I strongly support this nominee, and I urge my colleagues to join me in voting for her confirmation.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Virginia.

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

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

Mr. WARNER. Mr. President, I ask unanimous consent that—and I don't think my remarks will go over 5 minutes, but if they extend beyond a minute or 2, that I be able to finish my remarks before we go to the vote.

The PRESIDING OFFICER. Without objection.

NOMINATION OF JASMINE HYEJUNG YOON

Mr. WARNER. Mr. President, I rise today in support of Ms. Jasmine Yoon, whom President Biden has nominated to serve as a U.S. district court judge for the Western District of Virginia.

For the last decade and a half, Jasmine has served as an invaluable asset to Virginia's legal community, offering both a unique zeal for public service and an incredible life story.

Jasmine came to this Nation at age 14 from South Korea, speaking virtually no English. All through eighth

grade—and I am trying to think of myself in the eighth grade, and I cannot imagine going through this—but all through eighth grade, literally, at home she read Merriam Webster's dictionary and watched American TV. And by the time she entered high school, she spoke English fluently.

Thanks to this hard work, she developed a stellar academic record, such that she became a two-time graduate at the University of Virginia where she was awarded the Jack Kent Cooke Foundation scholarship, a full 3-year scholarship to the UVA School of Law given for academic and extracurricular achievement.

Shortly before law school, Jasmine became a U.S. citizen. She has spoken movingly to me and to Senator KAINE about her memories of that ceremony and what citizenship means to her.

Following law school, Jasmine began her public service career clerking for The Honorable James C. Cacheris in the U.S. District Court for the Eastern District of Virginia, a distinguished jurist and lifelong mentor for Jasmine.

After completing her clerkship, Jasmine went to work as an assistant U.S. attorney in the Eastern District. During her time in that office, she prosecuted countless complex cases. Her work was so notable that she won the FBI Director's Award, given for outstanding prosecutorial skills and service to the FBI.

Upon the conclusion of her time as a prosecutor, she went back to UVA, this time as a lawyer in the university's counsel's office. In taking this job, she and her husband chose to move their entire family to the Western District of Virginia, where they put down deep roots. As counsel to the university, Jasmine impressed everyone she met with her calm and measured approach to nuanced and subtle issues.

Jasmine's community-oriented mindset, her career qualifications, and numerous accolades and awards make her an exceptional nominee for the Western District of Virginia.

Her nomination has received countless letters of support, including from university leadership, local leaders, and the Asian Pacific American Bar Association of Virginia. Jasmine was also voted out of the Senate Judiciary Committee with a strong bipartisan vote.

Once sworn in, Jasmine will be the first Asian-American Federal judge in Virginia. I know she will serve with distinction and make our country and our Commonwealth proud.

I urge my colleagues to support her nomination.

With that, I yield the floor.

VOTE ON YOON NOMINATION

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

Ms. DUCKWORTH. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from Arizona (Ms. SINEMA) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Mississippi (Mrs. HYDE-SMITH) and the Senator from Louisiana (Mr. KENNEDY).

The result was announced—yeas 55, nays 41, as follows:

[Rollcall Vote No. 86 Ex.]

YEAS—55

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

NAYS—41

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

NOT VOTING—4

Hyde-Smith	Shaheen
Kennedy	Sinema

The nomination was confirmed.

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

CLOTURE MOTION

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

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 541, Sunil R. Harjani, of Illinois, to be United States District Judge for the Northern District of Illinois.

Charles E. Schumer, Richard J. Durbin, Alex Padilla, Tina Smith, Elizabeth Warren, Raphael G. Warnock, Gary C. Peters, Tim Kaine, Richard Blumenthal, Jack Reed, Sheldon Whitehouse, Peter Welch, Mark R. Warner, Christopher A. Coons, Tammy

Duckworth, Benjamin L. Cardin, Debbie Stabenow.

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 Sunil R. Harjani, of Illinois, to be United States District Judge for the Northern District of Illinois, 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 New Hampshire (Mrs. SHAHEEN) and the Senator from Arizona (Ms. SINEMA) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Mississippi (Mrs. HYDE-SMITH) and the Senator from Louisiana (Mr. KENNEDY).

The yeas and nays resulted—yeas 52, nays 44, as follows:

[Rollcall Vote No. 87 Ex.]

YEAS—52

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

NAYS—44

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

NOT VOTING—4

Hyde-Smith	Shaheen
Kennedy	Sinema

The PRESIDING OFFICER (Mr. LUJÁN). On this vote, the yeas are 52, the nays are 44.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Sunil R. Harjani, of Illinois, to be United States District Judge for the Northern District of Illinois.

NOMINATION OF SUNIL R. HARJANI

Mr. DURBIN. Mr. President, I rise to speak on the confirmation of Judge

Sunil Harjani to the U.S. District Court for the Northern District of Illinois.

After receiving his undergraduate degree and law degree from Northwestern University, Judge Harjani began his legal career at Jenner & Block LLP and later clerked for U.S. District Judge Suzanne B. Conlon on the Northern District of Illinois. He subsequently returned to private practice before working at the U.S. Securities and Exchange Commission from 2004 to 2008. In 2008, Judge Harjani joined the U.S. Attorney's Office for the Northern District of Illinois as an assistant U.S. attorney, prosecuting a range of cases, including securities and commodities fraud, investment fraud, corporate misconduct, and other business-related crimes. Over the course of his legal career, Judge Harjani tried 13 cases before the district court and argued 14 appeals before the Seventh Circuit.

In 2019, Judge Harjani was selected by the district judges of the Northern District of Illinois to be a magistrate judge, where he presides over civil and criminal cases. He has also served as an adjunct professor, previously teaching at the University of Illinois Chicago Law School and currently at Northwestern University Pritzker School of Law. The American Bar Association rated Judge Harjani as unanimously "well qualified."

Given Judge Harjani's considerable courtroom experience—as a litigator and on the bench—Senator DUCKWORTH and I strongly support his nomination.

I urge my colleagues to join me in voting for his confirmation.

#### RECESS

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

Thereupon, the Senate, at 1:26 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. LUJÁN).

#### EXECUTIVE CALENDAR—Continued

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

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Hampshire (Mrs. SHAHEEN) is necessarily absent.

The result was announced—yeas 53, nays 46, as follows:

[Rollcall Vote No. 88 Ex.]

#### YEAS—53

Baldwin	Blumenthal	Brown
Bennet	Booker	Butler

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

#### NAYS—46

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

#### NOT VOTING—1

Shaheen

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

#### 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. 540, Melissa R. DuBose, of Rhode Island, to be United States District Judge for the District of Rhode Island.

Charles E. Schumer, Richard J. Durbin, Alex Padilla, Tina Smith, Elizabeth Warren, Raphael G. Warnock, Gary C. Peters, Tim Kaine, Richard Blumenthal, Jack Reed, Sheldon Whitehouse, Peter Welch, Mark R. Warner, Christopher A. Coons, Tammy Duckworth, Benjamin L. Cardin, Debbie Stabenow.

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 Melissa R. DuBose, of Rhode Island, to be United States District Judge for the District of Rhode Island, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant executive clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Hampshire (Mrs. SHAHEEN) is necessarily absent.

The yeas and nays resulted—yeas 51, nays 48, as follows:

[Rollcall Vote No. 89 Ex.]

#### YEAS—51

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

#### NAYS—48

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

#### NOT VOTING—1

Shaheen

The PRESIDING OFFICER. On this vote, the yeas are 51, the nays are 48.

The motion is agreed to.

#### EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant executive clerk read the nomination of Melissa R. DuBose, of Rhode Island, to be United States District Judge for the District of Rhode Island.

The PRESIDING OFFICER. The majority leader.

#### REMEMBERING ITAY CHEN

Mr. SCHUMER. Mr. President, today, I am heartbroken to learn that 19-year-old fellow Brooklynite Itay Chen was killed on October 7 at the brutal hands of Hamas terrorists who still cruelly hold on to his remains.

Itay was serving with the IDF as a U.S.-Israeli citizen and was stationed near the Gaza border on the day of Hamas's terrorist attack.

I spoke to Itay's family earlier today to say all of Brooklyn—and all of Maryland—mourns the loss of their son, and I told them we will work relentlessly to make sure their son's body comes home.

I first met Itay's family in Israel, just a few days after October 7, when I went quickly to go to Israel to express solidarity after that awful attack, and I have spoken to the Chen family many times since.

Over time, I have gotten to know them, and I feel like I have also gotten to know a little bit of what Itay was like by hearing it through his father, his mother, and his brothers.

Itay's father Ruby has been one of the leading advocates for the return of the hostages. He has traveled to every corner of the world and has met with some of the highest ranking leaders in the world to say: Bring them home. Bring them home now.

Itay's father requested me to "please get his body back." I will do everything I can to make it happen. The family is not going to sit Shiva and observe formal Jewish burial practices until they recover Itay's body.

The family also expresses their thanks to the Biden administration and to the FBI for helping them get through these difficult months.

I will continue working with the Chen family, the administration, and others to return Itay's body back to his family so they can have the burial and Shiva in the way they desire and deserve.

When I spoke to Itay's father just a couple of hours ago, he promised me that the family would continue to fight for the release of all the other hostages. That was such an act. In the moment of their darkness, of clouds descending upon them, to still have that fortitude, that strength, that generosity to say they are going to fight for others touched my heart.

I will be working with the administration however possible until we finally bring back every last hostage and the remains of the hostages who are no longer with us are home at last.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

UNANIMOUS CONSENT REQUEST—S. 2801

Mrs. MURRAY. Mr. President, I rise today in hopes of passing a bill in a few minutes that would support our veterans and our servicemembers by making sure that when they want to grow their family, they can get the care and services they need, including IVF.

The recent chaos in Alabama caused by far-right ideology put a national spotlight on just how crucial IVF is to so many women and families who are desperately hoping and trying to have children. The first thing we heard after IVF was thrown into uncertainty in Alabama was the horror of women and their families who had their dreams turned into nightmares as appointments were canceled—tens of thousands of dollars, months of appointments were callously tossed out of the window by the Alabama Supreme Court. Its decision rested on extreme ideology—an ideology Republicans are working right now to enshrine into law nationwide.

Next, we heard Republicans tripping over themselves to proclaim that they stand for IVF even while still standing by the same extreme fetal personhood laws that caused all of this chaos in the first place.

I have said this before, but given how Republicans refuse to publicly disavow fetal personhood, it clearly bears repeating: When Republicans support legislation that says a fertilized egg has

the same rights and protections as a living, breathing, human person, that is fundamentally incompatible with supporting IVF. That is the very ideology that caused the disaster in Alabama, and right now, the majority of House Republicans are cosponsors of a national abortion ban that would enshrine fetal personhood in Federal law, endangering IVF treatments everywhere.

But if Republicans really do now want to support IVF, if they really do want to help people who are trying to grow their families, why not start with our veterans and our servicemembers? These are the men and women who fought to protect our families. Why don't we make sure they all have the support they need to grow theirs?

I reintroduced a bill with Senator DUCKWORTH last year—the Veteran Families Health Services Act—and it would do just that. I have been working to pass this bill for well over a decade now. It has gone through countless rounds of technical edits and reviews and is more than ready for prime time.

This is exactly the kind of straightforward legislation that we should pass through unanimous consent. It hasn't just passed committee before; it actually passed the Senate before.

The goal of this bill is very simple. It expands the fertility treatments and family-building services that are covered under servicemembers' and veterans' healthcare. That means finally having the coverage that gives servicemembers and veterans the option to freeze eggs or sperm before deployment, it means expanding adoption assistance at the VA, and it means expanding access to IVF for all of our veterans and servicemembers. Current coverage policies for VA and DOD still leave out many committed, loving people who want to start a family. We are talking about a bill that would help our wounded warriors get the care and coverage they need to start a family.

I am really glad DOD and VA have been taking some steps under President Biden to offer this care to more people, including the expansion that the VA announced just yesterday, but we still have a long way to go.

I hope that every one of my colleagues would agree that our country should keep that basic promise we make to our servicemembers to take care of them when they come home; that when a soldier comes home with injuries and subsequently needs IVF because of that to start a family or really when any soldier needs IVF to start a family, they should be able to get it. So how about we take action right now, today, to make that a reality. It should not be controversial, especially if Republicans are serious even in the slightest about supporting IVF.

This bill is just saying: Yes, we want to make sure that all of our veterans, all of our servicemembers have access to the family-building services and fertility treatments they need. Given all

that we have heard in recent weeks, this should be hugely bipartisan.

We stand by our veterans. If you stand by IVF, if you want to see our military families growing and thriving, we need to send that message now and send this legislation that I will be asking unanimous consent on shortly to the President's desk as soon as possible.

Mr. President, I know I have a number of Members who are coming to the floor to speak to this, so I will suggest the absence of a quorum until that time.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. BLUMENTHAL. Mr. President, I am very proud to be here today to join my great colleague from the State of Washington to support the Veteran Families Health Services Act.

At a time when there are many, many complex and difficult issues—some of them nowhere near black-and-white; a lot of gray areas of policy abroad and at home—there is one issue that ought to be absolutely clear, unequivocally, in terms of what we should do—the right thing to do—really, the obligatory thing to do. And that is to make sure that our men and women who serve in uniform and our veterans have access to the healthcare they deserve and, in particular, reproductive healthcare and, most especially, IVF treatment.

The Alabama Supreme Court in the LePage decision is another step in the assault on women's rights and women's healthcare and, in fact, on women. The kinds of restrictions placed on IVF treatment have been, essentially, disowned and disavowed by many Republicans who want to run away as far as they can as quickly as they can from that decision and are saying: Well, we are in favor of IVF but not against laws that restrict IVF.

They can't have it both ways. Here is a chance for them to show, in supremely important terms, that they are in favor of this kind of treatment for our men and women who, in some sense, have earned it and deserve it more than or as much as any other American because they are the ones who put on uniforms and defend our rights and our freedoms. And they are the ones who, afterwards, come back to their community as veterans and continue to serve us.

This measure, essentially, provides guarantees for Active-Duty servicemembers and veterans access to IVF. It expands adoption assistance at the VA and counseling services for couples navigating that process. There is very little to be said that wouldn't repeat the basic common sense of this proposal, and it shouldn't even be needed

to be said that military families don't choose where they live. They are assigned to one State or another, one country or another. When they answer the Nation's call, they don't sign up for service in Connecticut at the subbase. They sign up, and they raise their right hand. And their access to IVF shouldn't be dependent on the State where they are assigned or the country. It ought to be available to every servicemember regardless of their posting. They defend our rights every day, and we must protect theirs with this bill.

And veterans who have completed their service honorably deserve the same protection and access to family planning services. Our veterans who receive care at the VA deserve the highest standard—the gold standard—not some diluted standard because of a State law that restricts access to IVF. Their lives are already complex and challenging enough. We shouldn't complicate them further with administrative barriers.

I will just repeat what I said on the floor the other day in favor of IVF treatment. There is nothing so moving and so profound as a family who wants a child and is having difficulty having it. There is nothing so moving as two parents or people who want to be parents. And in our military, that predicament is especially moving because they have committed to give up a part of their lives—one could say their lives—to serve our country, and we should make sure that they have access to this fundamental right.

Again, I thank my colleague from the State of Washington, and I thank other colleagues who will be here today and all who are supporting this important measure, which we should be proud to support.

I yield the floor.

The PRESIDING OFFICER. The Democratic whip.

Mr. DURBIN. Mr. President, we all know it is Women's History Month; and though this work should be done year round, during March especially, we focus on policies that improve the lives of women in America, including the lives of women veterans.

For most of America's history, America's Armed Forces were made up primarily of men in uniform. Not anymore. Today, more than 17 percent of the Active-Duty Force in America are women. As our Armed Forces better reflect the diversity of America, that means our support system and resources for veterans must also meet the needs of that population.

And one of those resources must be supporting our veterans and servicemembers when they want to start a family. Those who serve our Nation are at an elevated risk for injury. That is part of the reason we owe them such a debt of gratitude. They do risk life and limb to protect America.

But when servicemembers are injured in the line of duty, one consequence can be obstacles to conceiving chil-

dren. That is why we should pass the Veteran Families Health Services Act immediately. This comprehensive legislation will expand fertility treatments and family-building services that are covered under servicemembers and veterans' healthcare plans. This includes services across the board to safeguard future fertility, adoption assistance, and, most likely, in vitro fertilization.

Access to IVF recently came into the national spotlight when the Alabama Supreme Court ruled last month that frozen embryos are children and that their destruction can be treated like the wrongful death of a child. That decision by the Alabama Supreme Court had major consequences on reproductive rights in Alabama as major healthcare providers stopped IVF procedures out of fear of civil and criminal liability.

Not surprisingly, Republicans across the country started scrambling, fearing that such an unpopular restriction on reproductive rights could hurt their electoral chances in the next election.

In the weeks since the ruling, Republicans have claimed to support access to IVF, and yet many also support so-called fetal personhood bills that codify that life begins at conception and lack carve-outs to protect access to IVF. The simple reality is you can't have it both ways. Although Alabama Governor Kay Ivey signed a law last week that attempted to ensure that IVF treatments continued in her State, many legal experts and fertility doctors are still concerned that the rush to stopgap that measure will do more harm than good.

And when Senator TAMMY DUCKWORTH—my Illinois colleague, a veteran herself who relied on IVF to start her family—came to this floor of the U.S. Senate and asked for unanimous consent to pass a bill that would establish Federal protection for access to IVF and other fertility treatments, a Republican Senator blocked it.

If the Republicans are truly pro-family, pro-military, as they claim to be, there should be no hesitation supporting this bill that supports our servicemembers and veterans who want to start a family.

Let me make one thing clear. No one should have to choose between serving our Nation and having a child. We should be expanding these services, not restricting them. Our servicemembers sacrifice much to keep our families safe. The least we can do is to make sure they have the full range of care options they need to start families of their own.

I want to thank the Senator from Washington, PATTY MURRAY, for calling us together for this important stand, one that I think will benefit families across the board and, certainly, benefit veteran families who want to start a family.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, as in legislative session, notwithstanding the provisions of rule XX, I ask unanimous consent that the Committee on Veterans' Affairs be discharged from further consideration of S. 2801, the Veteran Families Health Services Act of 2023, and the Senate proceed to its immediate consideration; further, that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Oklahoma.

Mr. LANKFORD. Reserving the right to object, I, like most Americans, have friends who have loved ones who have children who were born through IVF.

I am passionate about the value of every single child and grateful for every single child who we have in our Nation and for their potential future. I have friends who are in the process right now of actually adopting embryos that were still frozen. They could not have children of their own, and so they are adopting those embryos to make sure that they are able to come to life. IVF is not a controversial issue for me in that sense. We are passionate about it, as every State now protects that right and continues to honor that.

I understand it has become vogue in this current season right now to be able to say Republicans are somehow opposed to life because they are opposed to IVF. I just don't find that. But within this bill that is actually coming, this bill—actually, part of it came through the Senate Armed Services Committee. That bill, itself, when it came through—it is substantially similar to that—it tried to come to the NDAA and was not included in the NDAA. It had an objection.

The CBO scored it somewhere around a billion dollars a year. This bill, itself, I understand, doesn't have a CBO score because it includes not only that section that was a billion dollars a year but actually includes another section that has not gone through the Senate Committee on Veterans' Affairs. In fact, it was brought up in a previous Congress in the Senate Committee of Veterans' Affairs. It didn't have a hearing on it nor a markup. And then during a Democrat-led Senate and then a Democrat-led Senate, as well, didn't even recently, this session, even have a markup on it.

So all of these issues, I look at and say: This has not been fully vetted through what this actually is and what it actually does, nor the cost of it, much less to be able to have 24 hours later to try to come for unanimous consent.

This bill itself includes some overly broad definitions that I think need some conversation about. Quite frankly, we are in the Senate. This is what we are supposed to do. It includes things like assisted reproductive technology, fertility treatments. It leaves the door open for future definitions for



gene editing and cloning and leaves those at the discretion of the Secretary, whoever the Secretary may be, in the future.

The bill's definition of infertility includes "the inability to reproduce or safely carry a pregnancy to term." It is a very broad term trying to be able to figure out what that means. Obviously, that means everyone who is not a woman as well would be included in that.

The bill also expands the eligibility to "partners." You do not have to be TRICARE beneficiaries. This would be the first time that DOD would be required to provide medical care to someone who is not otherwise entitled to it by virtue of their relationship to the military in other ways. This breaks new ground in that area.

So there is not only issues of questions of definitions and such, but there is also just definition of cost or working through the committee process through committees that have, so far, either not passed it or have refused to even have a markup or a hearing on it.

So I don't think it is good for us to be able to bring this for unanimous consent to be able to move it at this time. Let's move it through in a broader conversation, but I would also encourage, just as a body, I don't find Republicans who are just broadly opposed to IVF.

And I know this is a broad part of the conversation right now to leave that implication after what happened in Alabama, but I am a Republican who is passionate about the value of every single child who also doesn't have an issue with IVF and am grateful to know people who have gone through the process and know their kids and know the value of every single one of those children.

So for the sake of honoring life and for the sake of honoring, obviously, what we do as a Senate and how we function together, for those reasons, I object.

The PRESIDING OFFICER. The objection is heard.

The Senator from Washington.

Mrs. MURRAY. Mr. President, I am deeply disappointed but not surprised.

Let the record show I have been trying to pass this legislation into law for well over a decade. It wasn't yesterday. It wasn't last year—for well over a decade.

And for the entire time Republicans have been the ones who have blocked efforts to include this bill in any legislative package.

I had really hoped, after the outpouring of public statements in support of IVF from my colleagues across the aisle, they might finally change their tune, but the American people understand that actions speak louder than words.

On the unofficial CBO score that was mentioned, let's just say, I think it is a real overestimate of how many people dealing with fertility would make use of IVF and other fertility services at that cost.

And my understanding is it also adds the cost of children conceived through IVF being covered on VA healthcare for the rest of their childhood, which doesn't make a lot of sense since many of those families will have children one way or the other anyway. So I dispute that, but I will say, it is pretty clear, Republicans do not support IVF, despite their language, not even for wounded servicemembers and for veterans.

But having said that, my door is open. I am determined. If a servicemember goes overseas and is wounded and comes home and cannot conceive a family, we should be there to provide service for them. It is our promise to our veterans that when they serve us, we will take care of them when they get home.

What is not more basic than making sure they can have a family after serving our country? So I am disappointed once again, but I will not stop working on this. It is the right thing to do.

I yield the floor.

#### NOMINATION OF MELISSA R. DUBOSE

Mr. DURBIN. Mr. President, today, the Senate will vote to confirm Judge Melissa DuBose to the U.S. District Court for the District of Rhode Island.

Born in Providence, RI, Judge DuBose received her B.A. from Providence College and served as a teacher in Rhode Island for 11 years. While teaching high school, she earned her law degree by attending night classes at Roger Williams School of Law. Judge DuBose began her legal career as a special assistant attorney general in the Rhode Island Office of the Attorney General, where she was responsible for prosecuting adults charged with child abuse, felonies committed by juveniles, and violations of probation. She then joined Schneider Electric as a senior legal counsel, assisting and providing legal counsel in litigation involving federal government-related disputes.

In 2019, then-Governor Gina Raimondo appointed Judge DuBose to serve as an associate judge on the Rhode Island District Court, where she has presided over approximately 250 to 300 bench trials that have gone to verdict or judgment. The American Bar Association rated Judge DuBose as "qualified" to serve on the district court, and she has the strong support of her home State Senators, Mr. REED and Mr. WHITEHOUSE.

Judge DuBose's deep ties to the Rhode Island legal community, combined with her significant courtroom experience, will make her an excellent addition to the Federal bench.

I urge my colleagues to support her nomination.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, we are about to vote on final passage to confirm President Biden's nominee to the U.S. District Court of Rhode Island, Melissa DuBose, and I would like to say a few words about her.

My senior Senator, JACK REED, will be following me shortly, and I want to begin by saying what a pleasure and successful effort it has been to work with Senator REED together to make recommendations to several Presidents that have produced excellent district court judges in the District Court for the District of Rhode Island, a really terrific senior judge on the First Circuit, and a sitting judge on the First Circuit Court of Appeals. I think our nominees have proven themselves very well in the field after the nominations came and they were sworn in and joined the bench.

Melissa DuBose, I am confident, will join that roster of very successful Reed-Whitehouse recommendations. She has a few characteristics that I would like to mention.

One, she worked as a prosecutor in the Rhode Island Department of Attorney General, where I used to work and where I used to actually work as attorney general for a bit. She did very busy, active service there on the criminal prosecution side and was very well regarded by her peers. She spent nearly 10 years as a corporate in-house counsel at a Fortune 500 company, Schneider Electric, and learned the law from that side. Then she served on the Rhode Island district court, which is a very fast paced, busy court where your judgment is constantly called on. She has shown herself to be a very patient and well-regarded judge, having presided over maybe 250 or 300 cases that have either gone to trial or verdict.

She is a graduate of Rhode Island's own Providence College. She was a history teacher in Providence schools for 11 years before she embarked on her legal career. She was educated at the Roger Williams University School of Law, which not only graduated her but thought so highly of her that they invited her back to sit on the board of the law school. I don't know how many of my colleagues here who are lawyers have been invited to sit on the board of their law school, but the law school thought highly enough of Judge DuBose that they asked her to do that.

I would add that perhaps the most prestigious board in the State of Rhode Island is the board of the Rhode Island Foundation, a huge charitable organization devoted to the well-being and welfare of the Rhode Island community, and Rhode Island's community leaders invited her to be on the board of that as well.

This is a person, a lifelong Rhode Islander, who is exceedingly well regarded in our community.

I will close before I yield to Senator REED by pointing out that the members of the district court could not be more excited about having her join the Rhode Island U.S. District Court.

We, as a matter of practice, very often check in with the judges to make sure they concur in the recommendations that we are going to make to a President about who is going to join them on the bench, so that if there are any problems that we are not aware of, we have a chance to do due diligence. In this case, judges on the court were affirmatively reaching out to Judge DuBose, saying: Please make sure you apply to Senator REED and Senator WHITEHOUSE. We really want you on the court.

This is a very special woman, a very accomplished lawyer, an experienced and proven judge, and I look forward to a strong bipartisan vote for her.

And with that, let me yield to my senior partner in this business of making excellent recommendations to Presidents for judges.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Thank you very much, Senator WHITEHOUSE.

Mr. President, I rise today in strong support of Melissa R. DuBose to be a judge of the U.S. District Court for the District of Rhode Island.

Let me thank my colleagues on the Judiciary Committee for advancing her nomination on a bipartisan vote last week. I would like to particularly thank Senator WHITEHOUSE for his leadership, not just here, but so many times on the Judiciary Committee and in the Senate.

Like Senator WHITEHOUSE, I look forward, in a few minutes, to her confirmation as a district judge. Judge DuBose served with distinction at the State level as an associate judge in the Rhode Island district court. She has proven to be an exceptional jurist with a sterling track record. As a judge, she is known for ensuring proceedings in her courtroom are fair and efficient. She is someone who not only knows the law but understands that her task as a judge is to seek justice.

She will fill the seat being vacated by Judge William E. Smith, who will be taking senior status. Judge Smith is a model of professionalism and integrity. He, along with Rhode Island's other current sitting judges on the Federal district court, as Senator WHITEHOUSE noted, are enthusiastic about the nomination of Judge DuBose.

Indeed, they wrote:

Melissa is an outstanding choice to join the federal bench—she is supremely qualified, her ethics are impeccable, and her temperament is judicious.

That is high praise indeed from a diverse and exceptional group of judges. I share their confidence in Judge DuBose.

She will continue Rhode Island's long and proud tradition of outstanding district court judges, and she will make history in her own right, becoming the first woman of color and the first openly LGBTQ person to serve on the U.S. District Court for the District of Rhode Island.

Judge DuBose was born and raised in Providence, not far from where the

U.S. district court is located. She earned both her undergraduate degree and teaching certificate from Providence College. Providence College is a remarkable school. The Dominicans run a tight ship, and they ensure that their students are particularly well prepared.

She worked for 11 years, as Senator WHITEHOUSE said, as a schoolteacher in the Providence Public School system, shaping and inspiring young minds. I can't think of better preparation for presiding over a court than running a classroom in a city like Providence or any other big city. So she has skills that are necessary for being a judge, both temperamentally and intellectually.

Her desire to make her community safer, to give back, to give the young people whom she taught a better chance, inspired her to study law. So, while teaching full time, she attended Roger Williams University School of Law at night and got her J.D. Upon graduation, she worked for the State of Rhode Island, in the attorney general's office. She started in the juvenile division and rose through the ranks and took on new assignments, including criminal arraignments and violation hearings.

After serving in the public sector for several years, she worked as a corporate counsel for Schneider Electric, a Fortune Global 500 company, covering compliance, ethics, and trade.

This is a remarkable woman who taught in a city school, who served in the State attorney general's office, and then went to an international company to deal with issues that are much different than you find in a district court or a school. So her capacity, her breadth of knowledge and experience, and her whole life prepared her so well for this judgeship.

In 2019, then-Governor Gina Raimondo, now our Commerce Secretary, elevated her to the Rhode Island district court. And she demonstrated fairness and impartiality and a sense of fairness in court.

Having served as an attorney and a judge, in the attorney general's office and in the private sector, she has handled both criminal and civil cases in Rhode Island's courts and trade cases that span continents. She is more than ready for elevation to the Federal bench.

Now, her résumé is impressive, and she has received support all across the board, from judges in Rhode Island, from public defenders, from prosecutors, and from State and local law enforcement officials. Like her peers, I am confident that Judge DuBose will serve on the district court with integrity and distinction. She has dedicated her life to public service, and Rhode Island is fortunate that she has once again answered the call to serve.

I urge my colleagues to confirm this exceptionally qualified nominee to serve on the U.S. District Court for the District of Rhode Island.

With that, 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.

The PRESIDING OFFICER. The Senator from Maryland.

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

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

The Senator from Maryland.

#### NOMINATIONS

Mr. CARDIN. Mr. President, first, as chairman of the Senate Foreign Relations Committee, I just want to bring to my colleagues' attention that we need to confirm our diplomats around the world.

Yesterday, I had a chance to meet with General Richardson, our SOUTHCOM Commander, and she told me about the challenges we are having in our own hemisphere because of nominees who have been approved by our committee who are here on the floor but have not been confirmed by the U.S. Senate. So I really just want to underscore the point that, if we are going to be able to have our interests represented around the world, we need to carry out the responsibility of confirming nominees that have gone through the process.

In too many cases, individual Senators have placed holds that require us to deal with cloture, which takes a lot of time. It is our responsibility to act on these nominees, and it is in our national security interest to have a confirmed ambassador in each of these countries.

In many cases, these are career individuals who have given their lives—literally, their professional lives—in service to our country. They deserve to have us act timely on their nomination. I would urge our colleagues to do that.

#### NOMINATION OF SEAN PATRICK MALONEY

Mr. President, I am pleased that we will shortly be voting on one of those nominees for this very important position, and that is Congressman Sean Patrick Maloney to be Representative to the Organization for Economic Cooperation and Development, known as the OECD.

Given the economic challenges we face today, promoting growth, prosperity, and development has never been more important. I am confident that Congressman Maloney will do just that at the OECD.

He is a veteran lawmaker who has worked on commodity markets, digital assets, and rural development, and, as well, he serves on the House Permanent Select Committee on Intelligence.

He is committed to using the OECD's research capacity and convening power to lead with our values and counter Beijing's efforts with the Belt and Road Initiative.

He understands that the global economy needs to work for all Americans

and that our small towns need a strong global economy in order to flourish.

I think the greatest compliment I can pay to Congressman Maloney is that I think many of us have heard from many of his colleagues at the House as to how valuable he has been over at the House of Representatives. I particularly want to just mention the conversations I have had with Speaker PELOSI and Congressman HOYER in regards to Congressman Maloney's incredible work in the House of Representatives.

He will do us proud as our Representative at the OECD. I urge my colleagues to confirm his nomination to be the next Representative to the OECD without delay.

With that, Mr. President, I would ask unanimous consent that the vote that is scheduled to start in 2 minutes start immediately.

The PRESIDING OFFICER. Is there any objection?

Without objection, it is so ordered.

VOTE ON DUBOSE NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the DuBose 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 New Hampshire (Mrs. SHAHEEN) is necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Alaska (Mr. SULLIVAN).

The result was announced—yeas 51, nays 47, as follows:

[Rollcall Vote No. 90 Ex.]

YEAS—51

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

NAYS—47

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

NOT VOTING—2

Shaheen Sullivan

The nomination was confirmed. The ACTING PRESIDENT pro tempore. Under the previous order, the motion to reconsider is considered made and laid upon the table and the President will be immediately notified of the Senate's action.

EXECUTIVE CALENDAR

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

The senior assistant legislative clerk read the nomination of Sean Patrick Maloney, of New York, to be Representative of the United States of America to the Organization for Economic Cooperation and Development.

The ACTING PRESIDENT pro tempore. There will now be 2 minutes of debate equally divided.

Without objection, all time is yielded back.

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

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

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. MANCHIN), the Senator from Vermont (Mr. SANDERS), and the Senator from New Hampshire (Mrs. SHAHEEN) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Kentucky (Mr. MCCONNELL), the Senator from Alaska (Mr. SULLIVAN), and the Senator from North Carolina (Mr. TILLIS).

The result was announced—yeas 63, nays 31, as follows:

[Rollcall Vote No. 91 Ex.]

YEAS—63

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

NAYS—31

Barrasso	Braun	Cornyn
Blackburn	Britt	Cotton
Boozman	Budd	Crapo

Cruz	Lankford	Scott (FL)
Fischer	Lee	Scott (SC)
Graham	Mullin	Thune
Hawley	Paul	Tuberville
Hoeben	Ricketts	Wicker
Hyde-Smith	Risch	Young
Johnson	Rubio	
Kennedy	Schmitt	

NOT VOTING—6

Manchin	Sanders	Sullivan
McConnell	Shaheen	Tillis

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

The majority leader.

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. 461.

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

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Nicole G. Berner, of Maryland, to be United States Circuit Judge for the Fourth Circuit.

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 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. 461, Nicole G. Berner, of Maryland, to be United States Circuit Judge for the Fourth Circuit.

Charles E. Schumer, Richard J. Durbin, Brian Schatz, Mazie 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 call for the cloture motion filed today, March 12, be waived.

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

## LEGISLATIVE SESSION

## MORNING BUSINESS

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

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

## ARMS SALES NOTIFICATION

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

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

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

DEFENSE SECURITY  
COOPERATION AGENCY,  
Washington, DC.

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

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 24-32, concerning the Air Force's proposed Letter(s) of Offer and Acceptance to the Government of Canada for defense services estimated to cost \$138 million. We will issue a news release to notify the public of this proposed sale upon delivery of this letter to your office.

Sincerely,

JAMES A. HURSCHE,  
Director.

Enclosures.

TRANSMITTAL NO. 24-32

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 Canada.

(ii) Total Estimated Value:  
Major Defense Equipment\* \$0.  
Other \$138 million.  
Total \$138 million.

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

Major Defense Equipment (MDE):  
None.

Non-MDE: Telecommunications services providing Tactical Narrowband Satellite Communications (SATCOM) access to Canadian Armed Forces users over the Mobile User Objective System (MUOS) service; com-

munication technical assistance to provide operational support, lifecycle management support, and engineering technical assistance and services; personnel training and training equipment; U.S. Government and contractor engineering; technical and logistics support services; and other related elements of logistics and program support.

(iv) Military Department: Air Force (CN-D-DAV).

(v) Prior Related Cases, if any: CN-P-FEU, CN-P-FFN.

(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: None.

(viii) Date Report Delivered to Congress: March 7, 2024.

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

## POLICY JUSTIFICATION

Canada—Mobile User Objective System Access

The Government of Canada has requested to buy telecommunications services providing Tactical Narrowband Satellite Communications (SATCOM) access to Canadian armed forces users over the Mobile User Objective System (MUOS) service; communication technical assistance to provide operational support, lifecycle management support, and engineering technical assistance and services; personnel training and training equipment; U.S. Government and contractor engineering; technical and logistics support services; and other related elements of logistics and program support. The estimated total cost is \$138 million.

This proposed sale will support the foreign policy and national security objectives of the United States by helping to improve the military capability of Canada, a NATO Ally that is an important force for ensuring political stability and economic progress and a contributor to military, peacekeeping, and humanitarian operations around the world.

The proposed sale will improve Canada's ability to meet current and future threats by providing ultra-high frequency SATCOM access. MUOS access will increase Canada's capacity to conduct operations in concert with U.S. forces for the defense of North America. Enhanced functionality in northern latitudes is integral to meeting Canada's North American Aerospace Defense Command missions and makes MUOS particularly beneficial to continental air defense collaboration. Canada will have no difficulty absorbing these 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 General Dynamics, Reston, VA. There are no known offset agreements proposed in connection with this potential sale.

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

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

## 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. 24-25, concerning the Navy's proposed Letter(s) of Offer and Acceptance to the Republic of Korea for defense articles and services estimated to cost \$170.6 million. We will issue a news release to notify the public of this proposed sale upon delivery of this letter to your office.

Sincerely,

JAMES A. HURSCHE,  
Director.

Enclosures.

TRANSMITTAL NO. 24-25

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

(i) Prospective Purchaser: Republic of Korea.

(ii) Total Estimated Value:  
Major Defense Equipment\* \$6.9 million.  
Other \$163.7 million.  
Total \$170.6 million.

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

Major Defense Equipment (MDE):

Five (5) BQM-177A Subsonic Sea-Skimming Aerial Targets (SSAT) for KDX-III Batch-II AEGIS Class Destroyers.

Non-MDE: Also included are GQM-163 target drones; classified books and other publications (technical and non-technical); test support; technical documentation; personnel training; U.S. Government and contractor engineering, technical, and logistics support services; and other related elements of logistics and program support.

(iv) Military Department: Navy (KS-P-GTP).

(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: March 7, 2024.

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

## POLICY JUSTIFICATION

Republic of Korea—Subsonic Sea-Skimming Aerial Targets for KDX-III Batch-II AEGIS Class Destroyers

The Republic of Korea has requested to buy five (5) BQM-177A Subsonic Sea-Skimming Aerial Targets (SSAT) for KDX-III

Batch-II AEGIS Class Destroyers. Also included are GQM-163 target drones; classified books and other publications (technical and non-technical); test support; technical documentation; personnel training; U.S. Government and contractor engineering, technical, and logistics support services; and other related elements of logistics and program support. The estimated total cost is \$170.6 million.

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

The proposed sale will improve the Republic of Korea's capability to meet current and future threats by performing Combat System Ship Qualification Trials (CSSQT) for its new KDX-III Batch-II AEGIS Class Destroyers. The KDX-III Batch-II CSSQT efforts will demonstrate the ship's ability to safely and effectively launch and control weapons, demonstrate proper integrated hardware operation, demonstrate system performance, based on key requirements, and provide realistic training for the shipboard anti-air warfare firing teams. The Republic of Korea will have no difficulty absorbing this equipment into its armed forces.

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

The principal contractor for the BQM-177A SSAT will be Kratos Defense, Sacramento, CA, and Fort Walton Beach, FL. The principal contractor for the GQM-163A target drones will be Northrop Grumman, Chandler, AZ. There are no known offset agreements proposed in connection with this potential sale.

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

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

TRANSMITTAL NO. 24-25

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 BQM-177A Subsonic Sea-Skimming Aerial Target (SSAT) is a subsonic target with capabilities to provide realistic threat representation. This aerial target replicates modern subsonic Anti-Ship Cruise Missile threats in support of fleet training and developmental, and operational testing of major Department of Defense and international weapon systems. The BQM-177A aerial targets support live-fire Test and Evaluation events for AEGIS, SM-6, SM-2, Rolling Airframe Missile (RAM), Evolved Sea Sparrow Missile (ESSM), and fleet training events. The BQM-177A assets for this potential sale will not be physically delivered to the Republic of Korea. They will remain in U.S. Navy (USN) custody and reserved as an allocation to the Republic of Korea until they are required at the USN Pacific Missile Range Facility (PMRF) to support the KDX-III Batch-II AEGIS Class Destroyers' (DDG 995, DDG 996, and DDG 997) Combat System Ship Qualification Trials (CSSQT).

2. The GQM-163A Coyote is a non-recoverable supersonic sea-skimming aerial target capable of speeds in excess of Mach 2.7, cruising altitudes from 13 to 66 feet, high diving speeds at Mach 3.9, and cruising altitudes up to 52,000 feet. This aerial target replicates a family of supersonic sea-skimming anti-ship cruise missile threats to meet critical Test and Evaluation requirements of Ship Self-

Defense Systems (SSDS) and fleet training. The GQM-163A aerial target supports live-fire Test and Evaluation events for AEGIS, SM-6, SM-2, RAM, ESSM, and fleet training events. The GQM-163A assets for this potential sale will not be physically delivered to the Republic of Korea. They will remain in USN custody and reserved as an allocation to the Republic of Korea until they are required at the USN PMRF to support the KDX-III Batch-II AEGIS Class Destroyers' (DDG 995, DDG 996 and DDG 997) CSSQT.

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

4. 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.

5. A determination has been made that the Republic of Korea 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.

6. All defense articles and services listed in this transmittal have been authorized for release and export to the Republic of Korea.

ADDITIONAL STATEMENTS

RECOGNIZING TRACY GENERAL STORE

• Mr. RISCH. Mr. President, as a member and former chairman of the Senate Committee on Small Business and Entrepreneurship, each month I recognize and celebrate the American entrepreneurial spirit by highlighting the success of a small business in my home State of Idaho. Today, I am pleased to honor the Tracy General Store as the Idaho Small Business of the Month for March 2024.

For over a century, the Tracy General Store, the longest continuously operating store in Idaho, has called Almo home. Established in 1894 by William and Henry Eames, the general store offered food staples, dry goods, shoes, household and farm equipment, and a Post Office. The upstairs served as an amusement hall for the thriving Southern Idaho community where plays, dances, and weddings were performed. The building's unique brickwork, often of interest to tourists visiting the nearby City of Rocks National Reserve, demonstrates the building styles of two different cultures. The lower level was built in the English method of bricklaying. The upper floor with its decorative design was the handywork of two Swiss bricklayers who helped the brothers in the construction of the store's upper addition. In 1940, William Eames sold the store to his daughter Otella and her husband Josep Tracy, changing the name of the store from Eames to Tracy. The lively general store remained in the Tracy family until about 2007.

Currently owned by Kent and Janis Durfee, the Tracy General Store boasts

a wide selection of grocery items, as well as fresh and homemade food and ice cream. Scattered across the shelves, shoppers can find relics from the past; most notable is the original cash register which was in use until 2003. Today, the beloved Tracy General Store still houses the Post Office, plenty of goods for locals and travelers, and a community space where everyone can come together to appreciate the building's long history.

Congratulations to the Durfees and the employees of the Tracy General Store on their selection as the Idaho Small Business of the Month for March 2024. Thank you for serving Idaho as small business owners and entrepreneurs. You make our great State proud, and I look forward to your continued growth and success. ●

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 OF THE CONTINUATION OF THE NATIONAL EMERGENCY THAT WAS ORIGINALLY DECLARED IN EXECUTIVE ORDER 12957 OF MARCH 15, 1995, WITH RESPECT TO IRAN—PM 43

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

*To the Congress of the United States:*

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to Iran that was declared on March 15, 1995, is to continue in effect beyond March 15, 2024.

The actions and policies of the Government of Iran continue to pose an

unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. Therefore, I have determined that it is necessary to continue the national emergency declared in Executive Order 12957 with respect to Iran and to maintain in force comprehensive sanctions against Iran to respond to this threat.

JOSEPH R. BIDEN, Jr.  
THE WHITE HOUSE, March 12, 2024.

#### MESSAGE FROM THE HOUSE

At 11:39 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 1858. An act to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to establish a deadline for applying for disaster unemployment assistance.

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

H.R. 532. An act to designate the Federal building and United States courthouse located at 600 East First Street in Rome, Georgia, as the "Harold L. Murphy Federal Building and United States Courthouse".

H.R. 886. An act to amend the Save Our Seas 2.0 Act to improve the administration of the Marine Debris Foundation, to amend the Marine Debris Act to improve the administration of the Marine Debris Program of the National Oceanic and Atmospheric Administration, and for other purposes.

H.R. 1752. An act to amend the Public Works and Economic Development Act of 1965 to provide for a high-speed broadband deployment initiative.

H.R. 4693. An act to provide that the Federal Reports Elimination and Sunset Act of 1995 does not apply to certain reports required to be submitted by the Tennessee Valley Authority, and for other purposes.

H.R. 6249. An act to provide for a review and report on the assistance and resources that the Administrator of the Federal Emergency Management Agency provides to individuals with disabilities and the families of such individuals that are impacted by major disasters, and for other purposes.

H.R. 6254. An act to direct the Comptroller General of the United States to conduct a review on the Public Buildings Service, and for other purposes.

H.R. 6277. An act to amend the Federal Assets Sale and Transfer Act of 2016 to improve such Act, and for other purposes.

H.R. 6316. An act to amend title 40, United States Code, to establish an expiration date of certain committee resolutions with respect to leases or projects, and for other purposes.

The message further announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 83. Concurrent resolution authorizing the use of the Capitol Grounds for the National Peace Officers Memorial Service and the National Honor Guard and Pipe Band Exhibition.

#### MEASURES REFERRED

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

H.R. 532. An act to designate the Federal building and United States courthouse located at 600 East First Street in Rome, Georgia, as the "Harold L. Murphy Federal Building and United States Courthouse"; to the Committee on Environment and Public Works.

H.R. 1752. An act to amend the Public Works and Economic Development Act of 1965 to provide for a high-speed broadband deployment initiative; to the Committee on Environment and Public Works.

H.R. 4693. An act to provide that the Federal Reports Elimination and Sunset Act of 1995 does not apply to certain reports required to be submitted by the Tennessee Valley Authority, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 6249. An act to provide for a review and report on the assistance and resources that the Administrator of the Federal Emergency Management Agency provides to individuals with disabilities and the families of such individuals that are impacted by major disasters, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 6254. An act to direct the Comptroller General of the United States to conduct a review on the Public Buildings Service, and for other purposes; to the Committee on Environment and Public Works.

H.R. 6277. An act to amend the Federal Assets Sale and Transfer Act of 2016 to improve such Act, and for other purposes; to the Committee on Environment and Public Works.

H.R. 6316. An act to amend title 40, United States Code, to establish an expiration date of certain committee resolutions with respect to leases or projects, and for other purposes; to the Committee on Environment and Public Works.

#### MEASURES PLACED ON THE CALENDAR

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

H.R. 886. An act to amend the Save Our Seas 2.0 Act to improve the administration of the Marine Debris Foundation, to amend the Marine Debris Act to improve the administration of the Marine Debris Program of the National Oceanic and Atmospheric Administration, and for other purposes.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. SCHATZ, from the Committee on Indian Affairs, with an amendment in the nature of a substitute:

S. 1322. A bill to amend the Act of August 9, 1955, to modify the authorized purposes and term period of tribal leases, and for other purposes (Rept. No. 118-159).

By Mr. CARPER, from the Committee on Environment and Public Works, with an amendment:

S. 3791. A bill to reauthorize the America's Conservation Enhancement Act, and for other purposes.

By Mr. CARPER, from the Committee on Environment and Public Works, with amendments:

S. 3858. A bill to establish within the Office of Land and Emergency Management of the Environmental Protection Agency the Office of Mountains, Deserts, and Plains, and for other purposes.

By Mr. CARPER, from the Committee on Environment and Public Works, with an amendment in the nature of a substitute:

S. 3891. A bill to amend the Public Works and Economic Development Act of 1965 to update and expand Federal economic development investment in the economic recovery, resiliency, and competitiveness of communities, regions, and States across the United States, 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 Ms. WARREN:

S. 3906. A bill to set aside USDA rural housing funding for Indian Tribes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. HEINRICH:

S. 3907. A bill to authorize the Secretary of Education to carry out a grant program to assist local educational agencies with ensuring that each elementary school and secondary school has at least one reading, literacy, or biliteracy specialist on staff; to the Committee on Health, Education, Labor, and Pensions.

By Mr. RUBIO:

S. 3908. A bill to restrict United States voluntary and assessed contributions to the United Nations, and for other purposes; to the Committee on Foreign Relations.

By Mr. CRUZ (for himself, Mr. THUNE, and Mrs. BLACKBURN):

S. 3909. A bill to require the Federal Communications Commission to auction spectrum in the band between 1.3 gigahertz and 13.2 gigahertz, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BROWN:

S. 3910. A bill to provide technical assistance and grants for faith-based organizations, institutions of higher education, and local governments to increase the supply of affordable rental housing, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

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

S. 3911. A bill to amend title 38, United States Code, to improve the methods by which the Secretary of Veterans Affairs conducts oversight of certain educational institutions, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. OSSOFF:

S. 3912. A bill to protect election workers and polling places; to the Committee on Rules and Administration.

By Mr. RUBIO:

S. 3913. A bill to authorize the Director of the Office of Foreign Assets Control of the Department of the Treasury to use a portion of the amounts seized through the enforcement of sanctions to recover the costs of such enforcement; to the Committee on Banking, Housing, and Urban Affairs.

By Mrs. GILLIBRAND:

S. 3914. A bill to increase the supply of, and lower rents for, affordable housing and to assess calculations of area median income for purposes of Federal low-income housing assistance, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. VANCE (for himself and Mr. HAGERTY):

S. 3915. A bill to prohibit sanctuary jurisdictions from receiving community development block grants; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. OSSOFF (for himself, Ms. KLOBUCHAR, Mr. WARNOCK, Mr. PADILLA,

Mr. KING, Mr. MERKLEY, and Mr. WYDEN):

S. 3916. A bill protecting the right to vote in elections for Federal office, and for other purposes; to the Committee on Rules and Administration.

By Mr. COTTON (for himself, Mr. BROWN, Mr. RUBIO, Mr. CASEY, Mr. SCOTT of Florida, Mr. BUDD, Ms. WARREN, Mr. BRAUN, Mr. VANCE, and Mr. BOOZMAN):

S. 3917. A bill to require the Secretary of Commerce to reimpose duties on steel imported into the United States from Mexico, and for other purposes; to the Committee on Finance.

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

S. 3918. A bill to require the Federal Energy Regulatory Commission to establish a shared savings incentive to return a portion of the savings attributable to an investment in grid-enhancing technology to the developer of that grid-enhancing technology, and for other purposes; to the Committee on Energy and Natural Resources.

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

S. 3919. A bill to render State or local governments with certain bail and pretrial detention policies ineligible to receive funds under the Edward Byrne Memorial Justice Assistance Grant Program; to the Committee on the Judiciary.

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

S. 3920. A bill to make permanent the authority to reimburse a member of the uniformed services for spouse relicensing and business costs following the relocation of the member; to the Committee on Armed Services.

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

S. 3921. A bill to amend title XIX of the Social Security Act to provide a higher Federal matching rate for increased expenditures under Medicaid for behavioral health services (including those related to mental health and substance use), and for other purposes; to the Committee on Finance.

By Mr. MERKLEY:

S. 3922. A bill to require the Board of Governors of the Federal Reserve System and the Securities and Exchange Commission to issue an annual report to Congress projecting and accounting for the economic costs directly and indirectly caused by the impacts of climate change, to require the Federal Retirement Thrift Investment Board to establish a Federal Advisory Panel on the Economics of Climate Change, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. TILLIS (for himself, Mr. SCOTT of South Carolina, Mr. RICKETTS, Mr. DAINES, Mr. BUDD, Mr. ROUNDS, Mr. CRAMER, Mr. COTTON, Mr. CASSIDY, and Mr. GRAHAM):

S. 3923. A bill to provide for the effective use of immigration detainers to enhance public safety; to the Committee on the Judiciary.

By Ms. SMITH (for herself, Mr. CRAMER, Mr. FETTERMAN, and Mrs. BRITTY):

S. 3924. A bill to establish limitations on advanced payments for bus rolling stock, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. CASEY:

S. 3925. A bill to amend the Internal Revenue Code of 1986 to increase the low-income housing credit for projects designated to serve households with people with disabilities; to the Committee on Finance.

By Ms. ERNST:

S. 3926. A bill to amend the Federal Funding Accountability and Transparency Act of

2006 to ensure that other transaction agreements are reported to USAspending.gov, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. TILLIS (for himself, Mr. BUDD, Mr. SCOTT of South Carolina, Mr. RICKETTS, Mr. DAINES, Mr. CRUZ, Mr. ROUNDS, Mr. CRAMER, Mr. COTTON, Mr. MARSHALL, Mr. CASSIDY, and Mr. GRAHAM):

S. 3927. A bill to provide a civil remedy for individuals harmed by sanctuary jurisdiction policies, and for other purposes; to the Committee on the Judiciary.

By Mr. BROWN:

S. 3928. A bill to increase the supply of affordable homes and expand housing options; to the Committee on Banking, Housing, and Urban Affairs.

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

S. 3929. A bill to prohibit the Secretary of Agriculture from taking certain proposed actions relating to a land management plan direction for old-growth forest conditions across the National Forest System; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. WARNOCK (for himself, Ms. BUTLER, Mr. BROWN, and Mr. VAN HOLLEN):

S. 3930. A bill to provide downpayment assistance to first-generation homebuyers to address multigenerational inequities in access to homeownership and to narrow and ultimately close the racial homeownership gap in the United States, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BROWN:

S. 3931. A bill to preserve and protect multifamily housing properties assisted by the Secretary of Housing and Urban Development; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. KENNEDY:

S. 3932. A bill to prohibit the Secretary of Health and Human Services, the Secretary of Labor, and the Secretary of the Treasury from finalizing a rule proposing restrictions on short-term limited duration insurance, and to amend title XXVII of the Public Health Service Act to define such insurance; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. BRITT (for herself, Mr. BARRASSO, Mrs. BLACKBURN, Mr. BOOZMAN, Mr. BRAUN, Mr. BUDD, Mrs. CAPITO, Mr. CORNYN, Mr. COTTON, Mr. CRAMER, Mr. CRAPO, Mr. DAINES, Mrs. FISCHER, Mr. GRAHAM, Mr. GRASSLEY, Mr. HAGERTY, Mr. HAWLEY, Mr. HOEVEN, Mr. KENNEDY, Mr. LEE, Ms. LUMMIS, Mr. MCCONNELL, Mr. RICKETTS, Mr. RISCH, Mr. SCHMITT, Mr. SCOTT of Florida, Mr. SCOTT of South Carolina, Mr. THUNE, Mr. TILLIS, Mr. TUBERVILLE, Mr. WICKER, Mr. ROUNDS, Mr. LANKFORD, and Mr. MORAN):

S. 3933. A bill to require the Secretary of Homeland Security to take into custody aliens who have been charged in the United States with theft, and for other purposes; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

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

S. Res. 587. A resolution designating the third week of March 2024 as "National CACFP Week"; considered and agreed to.

ADDITIONAL COSPONSORS

S. 91

At the request of Mr. HAGERTY, the names of the Senator from Florida (Mr. RUBIO) and the Senator from Connecticut (Mr. BLUMENTHAL) 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. 141

At the request of Mr. MORAN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 141, a bill to amend title 38, United States Code, to improve certain programs of the Department of Veterans Affairs for home and community based services for veterans, and for other purposes.

S. 612

At the request of Ms. CORTEZ MASTO, the name of the Senator from California (Ms. BUTLER) was added as a cosponsor of S. 612, a bill to reauthorize the Lake Tahoe Restoration Act, and for other purposes.

S. 722

At the request of Ms. KLOBUCHAR, the names of the Senator from South Carolina (Mr. GRAHAM) and the Senator from Nevada (Ms. ROSEN) were added as cosponsors of S. 722, a bill to amend the Internal Revenue Code of 1986 to permit certain expenses associated with obtaining or maintaining recognized postsecondary credentials to be treated as qualified higher education expenses for purposes of 529 accounts.

S. 740

At the request of Mr. BOOZMAN, the names of the Senator from West Virginia (Mrs. CAPITO) and the Senator from Connecticut (Mr. MURPHY) were added as cosponsors of S. 740, a bill to amend title 38, United States Code, to reinstate criminal penalties for persons charging veterans unauthorized fees relating to claims for benefits under the laws administered by the Secretary of Veterans Affairs, and for other purposes.

S. 747

At the request of Ms. COLLINS, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 747, a bill to authorize the Secretary of Agriculture to provide grants to States, territories, and Indian Tribes to address contamination by perfluoroalkyl and polyfluoroalkyl substances on farms, and for other purposes.

S. 1957

At the request of Mr. MARSHALL, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1957, a bill to amend the Richard B. Russell National School Lunch Act to allow schools that participate in the school lunch program to serve whole milk, and for other purposes.

S. 2415

At the request of Mrs. CAPITO, the name of the Senator from California

(Ms. BUTLER) was added as a cosponsor of S. 2415, a bill to amend title III of the Public Health Service Act to reauthorize Federal support of States in their work to save and sustain the health of mothers during pregnancy, childbirth, and the postpartum period, to eliminate disparities in maternal health outcomes for pregnancy-related and pregnancy-associated deaths, to identify solutions to improve health care quality and health outcomes for mothers, and for other purposes.

S. 2465

At the request of Mr. BOOKER, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 2465, a bill to require the Secretary of Veterans Affairs to establish a pilot program to furnish doula services to veterans.

S. 2692

At the request of Mr. TESTER, the name of the Senator from Nevada (Ms. CORTEZ MASTO) was added as a cosponsor of S. 2692, a bill to amend the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 to establish a Portal for Appraiser Credentialing and AMC Registration Information, and for other purposes.

S. 2757

At the request of Mr. TESTER, the names of the Senator from California (Mr. PADILLA) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors 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. 2801

At the request of Mrs. MURRAY, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 2801, a bill to improve the reproductive assistance provided by the Department of Defense and the Department of Veterans Affairs to certain members of the Armed Forces, veterans, and their spouses or partners, and for other purposes.

S. 2821

At the request of Mr. BOOKER, the name of the Senator from Georgia (Mr. WARNOCK) was added as a cosponsor of S. 2821, a bill to amend title XXVII of the Public Health Service Act to require group health plans and health insurance issuers offering group or individual health insurance coverage to provide coverage for prostate cancer screenings without the imposition of cost-sharing requirements, and for other purposes.

S. 2839

At the request of Mr. BRAUN, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 2839, a bill to clarify the maximum hiring target for new air traffic controllers, and for other purposes.

S. 2888

At the request of Mr. KING, the name of the Senator from Delaware (Mr.

COONS) was added as a cosponsor of S. 2888, a bill to amend title 10, United States Code, to authorize representatives of veterans service organizations to participate in presentations to promote certain benefits available to veterans during prepreparation counseling under the Transition Assistance Program of the Department of Defense, and for other purposes.

S. 3125

At the request of Mr. DURBIN, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 3125, a bill to reauthorize the Runaway and Homeless Youth Act, and for other purposes.

S. 3197

At the request of Ms. ERNST, the names of the Senator from South Carolina (Mr. GRAHAM), the Senator from Nevada (Ms. ROSEN), the Senator from Mississippi (Mr. WICKER) and the Senator from West Virginia (Mr. MANCHIN) were added as cosponsors of S. 3197, a bill to establish and authorize funding for an Iranian Sanctions Enforcement Fund to enforce United States sanctions with respect to Iran and its proxies and pay off the United States public debt and to codify the Export Enforcement Coordination Center.

S. 3232

At the request of Mr. YOUNG, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 3232, a bill to amend the Higher Education Act of 1965 to require the standards for accreditation of an institution of higher education to assess the institution's adoption of admissions practices that refrain from preferential treatment in admissions based on an applicant's relationship to alumni of, or donors to, the institution, to authorize a feasibility study on data collection, and for other purposes.

S. 3482

At the request of Mr. BARRASSO, the names of the Senator from Idaho (Mr. CRAPO) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 3482, a bill to establish a multi-stakeholder advisory committee tasked with providing detailed recommendations to address challenges to transmitting geolocation information with calls to the 988 Suicide and Crisis Lifeline, and for other purposes.

S. 3490

At the request of Mr. TUBERVILLE, the name of the Senator from North Carolina (Mr. BUDD) was added as a cosponsor of S. 3490, a bill to prohibit the Secretary of Veterans Affairs from providing health care to, or engaging in claims processing for health care for, any individual unlawfully present in the United States who is not eligible for health care under the laws administered by the Secretary.

S. 3612

At the request of Ms. DUCKWORTH, the name of the Senator from Arizona (Ms. SINEMA) was added as a cosponsor of S. 3612, a bill to prohibit the limitation of access to assisted reproductive

technology, and all medical care surrounding such technology.

S. 3670

At the request of Mr. MARKEY, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 3670, a bill to require States to establish complete streets programs, and for other purposes.

S. 3697

At the request of Mr. RUBIO, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 3697, a bill to establish the Space National Guard.

S. 3722

At the request of Mr. RUBIO, the names of the Senator from Missouri (Mr. SCHMITT) and the Senator from Georgia (Mr. WARNOCK) were added as cosponsors of S. 3722, a bill to require a report on access to maternal health care within the military health system, and for other purposes.

S. 3775

At the request of Ms. COLLINS, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 3775, a bill to amend the Public Health Service Act to reauthorize the BOLD Infrastructure for Alzheimer's Act, and for other purposes.

S.J. RES. 61

At the request of Mr. CRAMER, the name of the Senator from Kentucky (Mr. PAUL) was added as a cosponsor of S.J. Res. 61, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Federal Highway Administration relating to "National Performance Management Measures; Assessing Performance of the National Highway System, Greenhouse Gas Emissions Measure".

## SUBMITTED RESOLUTIONS

### SENATE RESOLUTION 587—DESIGNATING THE THIRD WEEK OF MARCH 2024 AS "NATIONAL CACFP WEEK"

Ms. KLOBUCHAR (for herself and Mr. BOOZMAN) submitted the following resolution; which was considered and agreed to:

S. RES. 587

Whereas the third week of March is annually recognized as "National CACFP Week" to raise awareness of the Child and Adult Care Food Program (referred to in this preamble as the "CACFP") of the Department of Agriculture;

Whereas the Department of Agriculture has reaffirmed—

(1) the vital role positive nutritional habits play in the healthy growth of children in the United States; and

(2) the importance of nutritional education for the most vulnerable and youngest children, as well as adults, through centers and homes throughout the United States;

Whereas, in 2022, the CACFP provided daily meals and snacks to more than 4,700,000 children and more than 113,000 adults in child



care centers, adult day care homes, and after-school programs, providing almost 1,800,000 meals and snacks in total;

Whereas the CACFP not only provides nutritional meals and education but also increases the quality of child care in general, especially for children in low-income areas;

Whereas the innovative approach to oversight of the CACFP, which pairs child care centers, adult day care homes, and after-school sites with either a non profit sponsoring organization or a State agency, highlights a unique public-private partnership that supports working families and small businesses;

Whereas, although child care can be expensive in many locations throughout the United States, the CACFP increases the effectiveness and viability of child care centers and adult day care homes for many providers, especially in rural areas; and

Whereas an increasing number of studies demonstrate that access to the CACFP can measurably and positively impact the cognitive, social, emotional, and physical health and development of children, leading to more favorable outcomes, such as—

- (1) a decreased likelihood of being hospitalized;
- (2) an increased likelihood of healthy weight gain; and
- (3) an increased likelihood of a more varied diet: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates the week beginning on March 10, 2024, as “National CACFP Week”; and

(2) recognizes the role of the Child and Adult Care Food Program in improving the health of the most vulnerable children and adults in child care centers, adult day care homes, and after-school care in the United States by providing nutritious meals and snacks.

**AMENDMENTS SUBMITTED AND PROPOSED**

SA 1691. Mr. SCHUMER (for Mrs. CAPITO) proposed an amendment to the bill S. 1189, to establish a pilot grant program to improve recycling accessibility, and for other purposes.

SA 1692. Mr. SCHUMER (for Mr. CARPER) proposed an amendment to the bill S. 1194, to require the Administrator of the Environmental Protection Agency to carry out certain activities to improve recycling and composting programs in the United States, and for other purposes.

SA 1693. Mr. SCHUMER (for Mr. KELLY) proposed an amendment to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes.

SA 1694. Mr. SCHUMER (for Mr. RUBIO) proposed an amendment to the bill S. 50, to amend the Federal Water Pollution Control Act to require the Administrator of the Environmental Protection Agency to give priority consideration to selecting Pensacola and Perdido Bays as an estuary of national significance, and for other purposes.

**TEXT OF AMENDMENTS**

SA 1691. Mr. SCHUMER (for Mrs. CAPITO) proposed an amendment to the bill S. 1189, to establish a pilot grant program to improve recycling accessibility, and for other purposes; as follows:

On page 1, line 5, strike “2023” and insert “2024”.

On page 7, strike lines 4 through 13 and insert the following:

(k) FEDERAL SHARE.—The Federal share of the cost of a project or program carried out by an eligible entity using grant funds shall be not more than 95 percent.

On page 8, line 8, strike “2023 through 2027” and insert “2025 through 2029”.

SA 1692. Mr. SCHUMER (for Mr. CARPER) proposed an amendment to the bill S. 1194, to require the Administrator of the Environmental Protection Agency to carry out certain activities to improve recycling and composting programs in the United States, and for other purposes; as follows:

Strike section 9 and insert the following:  
**SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

There is authorized to be appropriated to the Administrator to carry out this Act \$4,000,000 for each of fiscal years 2025 through 2029.

SA 1693. Mr. SCHUMER (for Mr. KELLY) proposed an amendment to the bill H.R. 2882, to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Udall Foundation Reauthorization Act of 2023”.

**SEC. 2. INVESTMENT EARNINGS.**

Section 8(b)(1) of the Morris K. Udall and Stewart L. Udall Foundation Act (20 U.S.C. 5606(b)(1)) is amended by adding at the end the following: “Beginning on October 1, 2023, and thereafter, interest earned from investments made with any new appropriations to the Trust Fund shall only be available subject to appropriations and is authorized to be appropriated to carry out the provisions of this Act.”.

**SEC. 3. REAUTHORIZATION OF THE UDALL FOUNDATION TRUST FUND.**

Section 13 of the Morris K. Udall and Stewart L. Udall Foundation Act (20 U.S.C. 5609) is amended—

(1) in subsection (a), by striking “2023” and inserting “2029”;

(2) in subsection (b), in the matter preceding paragraph (1), by striking “2023” and inserting “2029”;

(3) in subsection (c), by striking “5-fiscal year period” and all that follows through the period at the end and inserting “5-fiscal year period beginning with fiscal year 2025.”.

**SEC. 4. AUDIT OF THE FOUNDATION.**

Not later than 4 years after the date of enactment of this section, the Inspector General of the Department of the Interior shall complete an audit of the Morris K. Udall and Stewart L. Udall Foundation.

SA 1694. Mr. SCHUMER (for Mr. RUBIO) proposed an amendment to the bill S. 50, to amend the Federal Water Pollution Control Act to require the Administrator of the Environmental Protection Agency to give priority consideration to selecting Pensacola and Perdido Bays as an estuary of national significance, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Pensacola and Perdido Bays Estuary of National Significance Act of 2024”.

**SEC. 2. PENSACOLA AND PERDIDO BAYS.**

Section 320(a)(2)(B) of the Federal Water Pollution Control Act (33 U.S.C. 1330(a)(2)(B))

is amended by striking “and Lower Columbia River, Oregon and Washington” and inserting “Lower Columbia River, Oregon and Washington; and Pensacola and Perdido Bays, Florida”.

**SEC. 3. INELIGIBILITY WITH RESPECT TO FISCAL YEARS 2024 AND 2025.**

With respect to the amendment made by section 2, the Administrator of the Environmental Protection Agency may not use for the implementation of that amendment, including, with respect to Pensacola and Perdido Bays, Florida, convening a management conference, developing or carrying out a comprehensive conservation and management plan, or providing grants under section 320 of the Federal Water Pollution Control Act (33 U.S.C. 1330)—

(1) any amounts appropriated to carry out the national estuary program under that section for fiscal year 2024; or

(2) unless the total amount appropriated to carry out that program for fiscal year 2025 is at least \$850,000 more than the total amount appropriated to carry out that program for fiscal year 2023, any amounts appropriated to carry out that program for fiscal year 2025.

**AUTHORITY FOR COMMITTEES TO MEET**

Mr. SCHUMER, Madam President, I have eight requests for committees to meet during today’s session of the Senate. They have the approval of the Majority and Minority Leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today’s session of the Senate:

**COMMITTEE ON ARMED SERVICES**

The Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, March 12, 2024, at 9:30 a.m., to conduct a hearing.

**COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS**

Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Tuesday, March 12, 2024, at 10 a.m., to conduct a hearing.

**COMMITTEE ON ENERGY AND NATURAL RESOURCES**

The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Tuesday, March 12, 2024, at 10 a.m., to conduct a hearing.

**COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS**

The Committee on Environment and Public Works is authorized to meet during the session of the Senate on Tuesday, March 12, 2024, at 10 a.m., to conduct a business meeting.

**COMMITTEE ON FINANCE**

The Committee on Finance is authorized to meet during the session of the Senate on Tuesday, March 12, 2024, at 10 a.m., to conduct a hearing.

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

The Committee on Health, Education, Labor, and Pensions is authorized to meet during the session of the Senate on Tuesday, March 12, 2024, at 2 p.m., to conduct a hearing.

**COMMITTEE ON THE JUDICIARY**

The Committee on the Judiciary is authorized to meet during the session

of the Senate on Tuesday, March 12, 2024, at 10 a.m., to conduct a hearing.

COMMITTEE ON RULES AND ADMINISTRATION

The Committee on Rules and Administration is authorized to meet during the session of the Senate on Tuesday, March 12, 2024, at 3 p.m., to conduct a hearing.

RECYCLING INFRASTRUCTURE  
AND ACCESSIBILITY ACT OF 2023

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 104, S. 1189.

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

The legislative clerk read as follows:

A bill (S. 1189) to establish a pilot grant program to improve recycling accessibility, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Environment and Public Works.

Mr. SCHUMER. I ask unanimous consent that the Capito amendment at the desk be considered and agreed to; that the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

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

The amendment (No. 1691) was agreed to as follows:

(Purpose: To improve the bill)

On page 1, line 5, strike “2023” and insert “2024”.

On page 7, strike lines 4 through 13 and insert the following:

(k) FEDERAL SHARE.—The Federal share of the cost of a project or program carried out by an eligible entity using grant funds shall be not more than 95 percent.

On page 8, line 8, strike “2023 through 2027” and insert “2025 through 2029”.

The bill (S. 1189), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1189

*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 “Recycling Infrastructure and Accessibility Act of 2024”.

SEC. 2. RECYCLING INFRASTRUCTURE AND ACCESSIBILITY PROGRAM.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of the Environmental Protection Agency.

(2) CURBSIDE RECYCLING.—The term “curbside recycling” means the process by which residential recyclable materials are picked up curbside.

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

(A) a State (as defined in section 1004 of the Solid Waste Disposal Act (42 U.S.C. 6903));

(B) a unit of local government;

(C) an Indian Tribe; and

(D) a public-private partnership.

(4) INDIAN TRIBE.—The term “Indian Tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(5) MATERIALS RECOVERY FACILITY.—

(A) IN GENERAL.—The term “materials recovery facility” means a recycling facility where primarily residential recyclables, which are diverted from disposal by a generator and collected separately from municipal solid waste, are mechanically or manually sorted into commodities for further processing into specification-grade commodities for sale to end users.

(B) EXCLUSION.—The term “materials recovery facility” does not include a solid waste management facility that may process municipal solid waste to remove recyclable materials.

(6) PILOT GRANT PROGRAM.—The term “pilot grant program” means the Recycling Infrastructure and Accessibility Program established under subsection (b).

(7) RECYCLABLE MATERIAL.—The term “recyclable material” means obsolete, previously used, off-specification, surplus, or incidentally produced material for processing into a specification-grade commodity for which a market exists.

(8) TRANSFER STATION.—The term “transfer station” means a facility that—

(A) receives and consolidates recyclable material from curbside recycling or drop-off facilities; and

(B) loads the recyclable material onto tractor trailers, railcars, or barges for transport to a distant materials recovery facility or another recycling-related facility.

(9) UNDERSERVED COMMUNITY.—The term “underserved community” means a community, including an unincorporated area, without access to full recycling services because—

(A) transportation, distance, or other reasons render utilization of available processing capacity at an existing materials recovery facility cost prohibitive; or

(B) the processing capacity of an existing materials recovery facility is insufficient to manage the volume of recyclable materials produced by that community.

(b) ESTABLISHMENT.—Not later than 18 months after the date of enactment of this Act, the Administrator shall establish a pilot grant program, to be known as the “Recycling Infrastructure and Accessibility Program”, to award grants, on a competitive basis, to eligible entities to improve recycling accessibility in a community or communities within the same geographic area.

(c) GOAL.—The goal of the pilot grant program is to fund eligible projects that will significantly improve accessibility to recycling systems through investments in infrastructure in underserved communities through the use of a hub-and-spoke model for recycling infrastructure development.

(d) APPLICATIONS.—To be eligible to receive a grant under the pilot grant program, an eligible entity shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require.

(e) CONSIDERATIONS.—In selecting eligible entities to receive a grant under the pilot grant program, the Administrator shall consider—

(1) whether the community or communities in which the eligible entity is seeking to carry out a proposed project has curbside recycling;

(2) whether the proposed project of the eligible entity will improve accessibility to recycling services in a single underserved community or multiple underserved communities; and

(3) if the eligible entity is a public-private partnership, the financial health of the private entity seeking to enter into that public-private partnership.

(f) PRIORITY.—In selecting eligible entities to receive a grant under the pilot grant pro-

gram, the Administrator shall give priority to eligible entities seeking to carry out a proposed project in a community in which there is not more than 1 materials recovery facility within a 75-mile radius of that community.

(g) USE OF FUNDS.—An eligible entity awarded a grant under the pilot grant program may use the grant funds for projects to improve recycling accessibility in communities, including in underserved communities, by—

(1) increasing the number of transfer stations;

(2) expanding curbside recycling collection programs where appropriate; and

(3) leveraging public-private partnerships to reduce the costs associated with collecting and transporting recyclable materials in underserved communities.

(h) PROHIBITION ON USE OF FUNDS.—An eligible entity awarded a grant under the pilot grant program may not use the grant funds for projects relating to recycling education programs.

(i) MINIMUM AND MAXIMUM GRANT AMOUNT.—A grant awarded to an eligible entity under the pilot grant program shall be in an amount—

(1) not less than \$500,000; and

(2) not more than \$15,000,000.

(j) SET-ASIDE.—The Administrator shall set aside not less than 70 percent of the amounts made available to carry out the pilot grant program for each fiscal year to award grants to eligible entities to carry out a proposed project or program in a single underserved community or multiple underserved communities.

(k) FEDERAL SHARE.—The Federal share of the cost of a project or program carried out by an eligible entity using grant funds shall be not more than 95 percent.

(l) REPORT.—Not later than 2 years after the date on which the first grant is awarded under the pilot grant program, the Administrator shall submit to Congress a report describing the implementation of the pilot grant program, which shall include—

(1) a list of eligible entities that have received a grant under the pilot grant program;

(2) the actions taken by each eligible entity that received a grant under the pilot grant program to improve recycling accessibility with grant funds; and

(3) to the extent information is available, a description of how grant funds received under the pilot grant program improved recycling rates in each community in which a project or program was carried out under the pilot grant program.

(m) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to the Administrator to carry out the pilot grant program \$30,000,000 for each of fiscal years 2025 through 2029, to remain available until expended.

(2) ADMINISTRATIVE COSTS AND TECHNICAL ASSISTANCE.—Of the amounts made available under paragraph (1), the Administrator may use up to 5 percent—

(A) for administrative costs relating to carrying out the pilot grant program; and

(B) to provide technical assistance to eligible entities applying for a grant under the pilot grant program.

RECYCLING AND COMPOSTING  
ACCOUNTABILITY ACT

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 105, S. 1194.

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

The legislative clerk read as follows:

A bill (S. 1194) to require the Administrator of the Environmental Protection Agency to carry out certain activities to improve recycling and composting programs in the United States, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Environment and Public Works.

Mr. SCHUMER. I ask unanimous consent that the Carper amendment at the desk be considered and agreed to; that the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

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

The amendment (No. 1692) was agreed to as follows:

(Purpose: To modify the authorization of appropriations)

Strike section 9 and insert the following:

**SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

There is authorized to be appropriated to the Administrator to carry out this Act \$4,000,000 for each of fiscal years 2025 through 2029.

The bill (S. 1194), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1194

*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 “Recycling and Composting Accountability Act”.

**SEC. 2. DEFINITIONS.**

(a) IN GENERAL.—In this Act:

(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of the Environmental Protection Agency.

(2) CIRCULAR MARKET.—The term “circular market” means a market that utilizes industrial processes and economic activities to enable post-industrial and post-consumer materials used in those processes and activities to maintain their highest values for as long as possible.

(3) COMPOST.—The term “compost” means a product that—

(A) is manufactured through the controlled aerobic, biological decomposition of biodegradable materials;

(B) has been subjected to medium and high temperature organisms, which—

(i) significantly reduce the viability of pathogens and weed seeds; and

(ii) stabilize carbon in the product such that the product is beneficial to plant growth; and

(C) is typically used as a soil amendment, but may also contribute plant nutrients.

(4) COMPOSTABLE MATERIAL.—The term “compostable material” means material that is a feedstock for creating compost, including—

(A) wood;

(B) agricultural crops;

(C) paper;

(D) certified compostable products associated with organic waste;

(E) other organic plant material;

(F) marine products;

(G) organic waste, including food waste and yard waste; and

(H) such other material that is composed of biomass that can be continually replenished or renewed, as determined by the Administrator.

(5) COMPOSTING FACILITY.—The term “composting facility” means a location, structure, or device that transforms compostable materials into compost.

(6) INDIAN TRIBE.—The term “Indian Tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(7) MATERIALS RECOVERY FACILITY.—

(A) IN GENERAL.—The term “materials recovery facility” means a dedicated facility where primarily residential recyclable materials, which are diverted from disposal by the generator and collected separately from municipal solid waste, are mechanically or manually sorted into commodities for further processing into specification-grade commodities for sale to end users.

(B) EXCLUSION.—The term “materials recovery facility” does not include a solid waste management facility that may process municipal solid waste to remove recyclable materials.

(8) RECYCLABLE MATERIAL.—The term “recyclable material” means a material that is obsolete, previously used, off-specification, surplus, or incidentally produced for processing into a specification-grade commodity for which a circular market currently exists or is being developed.

(9) RECYCLING.—The term “recycling” means the series of activities—

(A) during which recyclable materials are processed into specification-grade commodities, and consumed as raw-material feedstock, in lieu of virgin materials, in the manufacturing of new products;

(B) that may include sorting, collection, processing, and brokering; and

(C) that result in subsequent consumption by a materials manufacturer, including for the manufacturing of new products.

(10) STATE.—The term “State” has the meaning given the term in section 1004 of the Solid Waste Disposal Act (42 U.S.C. 6903).

(b) DEFINITION OF PROCESSING.—In paragraphs (7), (8), and (9) of subsection (a), the term “processing” means any mechanical, manual, or other method that—

(1) transforms a recyclable material into a specification-grade commodity; and

(2) may occur in multiple steps, with different steps, including sorting, occurring at different locations.

**SEC. 3. SENSE OF CONGRESS.**

It is the sense of Congress that—

(1) recycling and composting conserve resources, protect the environment, and are important to the United States economy;

(2) the United States recycling and composting infrastructure encompass each of the entities that collect, process, broker, and consume recyclable materials and compostable materials sourced from commercial, industrial, institutional, and residential sources;

(3) the residential segment of the United States recycling and composting infrastructure is facing challenges from—

(A) confusion over what materials are recyclable materials or compostable materials;

(B) reduced export markets;

(C) growing, but still limited, domestic end markets; and

(D) an ever-changing and heterogeneous supply stream;

(4) in some areas, recycling and composting infrastructure is in need of revitalization; and

(5) in an effort to address those challenges, the United States must use a combination of tactics to improve recycling and composting in the United States.

**SEC. 4. REPORT ON COMPOSTING INFRASTRUCTURE CAPABILITIES.**

The Administrator, in consultation with States, units of local government, and Indian Tribes, shall—

(1) prepare a report, or expand work under the National Recycling Strategy to include data, describing the capability of the United States to implement a national composting strategy for compostable materials for the purposes of reducing contamination rates for recycling, including—

(A) an evaluation of existing Federal, State, and local laws that may present barriers to implementation of a national composting strategy;

(B)(i) an evaluation of existing composting programs of States, units of local government, and Indian Tribes; and

(ii) a description of best practices based on those programs;

(C) an evaluation of existing composting infrastructure in States, units of local government, and Indian Tribes for the purposes of estimating cost and approximate land needed to expand composting programs; and

(D) a study of the practices of manufacturers and companies that are moving to using compostable packaging and food service ware for the purpose of making the composting process the end-of-life use of those products; and

(2) not later than 2 years after the date of enactment of this Act, submit the report prepared under paragraph (1) to Congress.

**SEC. 5. REPORT ON FEDERAL AGENCY RECYCLING PRACTICES.**

Not later than 2 years after the date of enactment of this Act, and every 2 years thereafter until 2033, the Comptroller General of the United States, in consultation with the Administrator, shall make publicly available a report describing—

(1) the total annual recycling and composting rates reported by all Federal agencies;

(2) the total annual percentage of products containing recyclable material, compostable material, or recovered materials purchased by all Federal agencies, including—

(A) the total quantity of procured products containing recyclable material or recovered materials listed in the comprehensive procurement guidelines published under section 6002(e) of the Solid Waste Disposal Act (42 U.S.C. 6962(e)); and

(B) the total quantity of compostable material purchased;

(3) recommendations for updating—

(A) the comprehensive procurement guidelines published under section 6002(e) of the Solid Waste Disposal Act (42 U.S.C. 6962(e)); and

(B) the environmentally preferable purchasing program established under section 6604(b)(11) of the Pollution Prevention Act of 1990 (42 U.S.C. 13103(b)(11)); and

(4) the activities of each Federal agency that promote recycling or composting.

**SEC. 6. IMPROVING DATA AND REPORTING.**

(a) INVENTORY OF MATERIALS RECOVERY FACILITIES.—Not later than 1 year after the date of enactment of this Act, and biannually thereafter, the Administrator, in consultation with States, units of local government, and Indian Tribes, shall—

(1) prepare an inventory of public and private materials recovery facilities in the United States, including—

(A) the number of materials recovery facilities in each unit of local government in each State; and

(B) a description of the materials that each materials recovery facility can process, including—

(i) in the case of plastic, a description of—

(I) the types of accepted resin, if applicable; and

(II) the packaging or product format, such as a jug, a carton, or film;

(ii) food packaging and service ware, such as a bottle, cutlery, or a cup;

(iii) paper;  
 (iv) aluminum, such as an aluminum beverage can, food can, aerosol can, or foil;  
 (v) steel, such as a steel food or aerosol can;  
 (vi) other scrap metal;  
 (vii) glass; or  
 (viii) any other material not described in any of clauses (i) through (vii) that a materials recovery facility can process; and  
 (2) submit the inventory prepared under paragraph (1) to Congress.

(b) **ESTABLISHMENT OF A COMPREHENSIVE BASELINE OF DATA FOR THE UNITED STATES RECYCLING SYSTEM.**—The Administrator, in consultation with States, units of local government, and Indian Tribes, shall determine, with respect to the United States—

- (1) the number of community curbside recycling and composting programs;
- (2) the number of community drop-off recycling and composting programs;
- (3) the types and forms of materials accepted by each community curbside recycling, drop-off recycling, or composting program;
- (4) the number of individuals with access to recycling and composting services to at least the extent of access to disposal services;
- (5) the number of individuals with barriers to accessing recycling and composting services to at least the extent of access to disposal services;
- (6) the inbound contamination and capture rates of community curbside recycling, drop-off recycling, or composting programs;
- (7) where applicable, other available recycling or composting programs within a community, including store drop-offs; and
- (8) the average costs and benefits to States, units of local government, and Indian Tribes of recycling and composting programs.

(c) **STANDARDIZATION OF RECYCLING REPORTING RATES.**—

(1) **COLLECTION OF RATES.**—  
 (A) **IN GENERAL.**—The Administrator may use amounts made available under section 9 to biannually collect from each State the nationally standardized rate of recyclable materials in that State that have been successfully diverted from the waste stream and brought to a materials recovery facility or composting facility.

(B) **CONFIDENTIAL OR PROPRIETARY BUSINESS INFORMATION.**—Information collected under subparagraph (A) shall not include any confidential or proprietary business information, as determined by the Administrator.

(2) **USE.**—Using amounts made available under section 9, the Administrator may use the rates collected under paragraph (1) to further assist States, units of local government, and Indian Tribes—

- (A) to reduce the overall waste produced by the States and units of local government; and
- (B) to increase recycling and composting rates.

(d) **REPORT ON END MARKETS.**—

(1) **IN GENERAL.**—The Administrator, in consultation with States, units of local government, and Indian Tribes, shall—

(A) provide an update to the report submitted under section 306 of the Save Our Seas 2.0 Act (Public Law 116–224; 134 Stat. 1096) to include an addendum on the end-market sale of all recyclable materials, in addition to recycled plastics as described in that section, from materials recovery facilities that process recyclable materials collected from households and publicly available recyclable materials drop-off centers, including—

- (i) the total, in dollars per ton, domestic sales of bales of recyclable materials; and

(ii) the total, in dollars per ton, international sales of bales of recyclable materials;

(B) prepare a report on the end-market sale of compost from all compostable materials collected from households and publicly available compost drop-off centers, including the total, in dollars per ton, of domestic sales of compostable materials; and

(C) not later than 2 years after the date of enactment of this Act, submit to Congress the update to the report prepared under subparagraph (A) and the report prepared under subparagraph (B).

(2) **CONFIDENTIAL OR PROPRIETARY BUSINESS INFORMATION.**—Information collected under subparagraphs (A) and (B) of paragraph (1) shall not include any confidential or proprietary business information, as determined by the Administrator.

**SEC. 7. STUDY ON THE DIVERSION OF RECYCLABLE MATERIALS FROM A CIRCULAR MARKET.**

(a) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Administrator shall develop a metric for determining the proportion of recyclable materials in commercial and municipal waste streams that are being diverted from a circular market.

(b) **STUDY; REPORT.**—Not later than 1 year after the development of a metric under subsection (a), the Administrator shall conduct a study of, and submit to Congress a report on, the proportion of recyclable materials in commercial and municipal waste streams that, during each of the 10 calendar years preceding the year of submission of the report, were diverted from a circular market.

(c) **DATA.**—The report under subsection (b) shall provide data on specific recyclable materials, including aluminum, plastics, paper and paperboard, textiles, and glass, that were prevented from remaining in a circular market through disposal or elimination, and to what use those specific recyclable materials were lost.

(d) **EVALUATION.**—The report under subsection (b) shall include an evaluation of whether the establishment or improvement of recycling programs would—

- (1) improve recycling rates; or
- (2) reduce the quantity of recyclable materials being unutilized in a circular market.

**SEC. 8. VOLUNTARY GUIDELINES.**

The Administrator shall—

(1) in consultation with States, units of local government, and Indian Tribes, develop, based on the results of the studies, reports, inventory, and data determined under sections 4 through 7, and provide to States, units of local government, and Indian Tribes, through the Model Recycling Program Toolkit or a similar resource, best practices that the States, units of local government, and Indian Tribes may use to enhance recycling and composting, including—

(A) labeling techniques for containers of waste, compostable materials, and recycling, with the goal of creating consistent, readily available, and understandable labeling across jurisdictions;

(B) pamphlets or other literature readily available to constituents;

(C) primary and secondary school educational resources on recycling;

(D) web and media-based campaigns; and

(E) guidance for the labeling of recyclable materials and compostable materials that minimizes contamination and diversion of those materials from waste streams toward recycling and composting systems; and

(2) not later than 2 years after the date of enactment of this Act, submit to Congress a report describing the best practices developed under paragraph (1).

**SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

There is authorized to be appropriated to the Administrator to carry out this Act \$4,000,000 for each of fiscal years 2025 through 2029.

#### UDALL FOUNDATION REAUTHORIZATION ACT OF 2023

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 2882, which was received from House and is at the desk.

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

The senior assistant legislative clerk read as follows:

A bill (H.R. 2882) to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes.

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

Mr. SCHUMER. Mr. President, I ask further that the Kelly substitute amendment at the desk be considered and agreed to; that the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The amendment (No. 1693) in the nature of a substitute was agreed to as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Udall Foundation Reauthorization Act of 2023”.

**SEC. 2. INVESTMENT EARNINGS.**

Section 8(b)(1) of the Morris K. Udall and Stewart L. Udall Foundation Act (20 U.S.C. 5606(b)(1)) is amended by adding at the end the following: “Beginning on October 1, 2023, and thereafter, interest earned from investments made with any new appropriations to the Trust Fund shall only be available subject to appropriations and is authorized to be appropriated to carry out the provisions of this Act.”.

**SEC. 3. REAUTHORIZATION OF THE UDALL FOUNDATION TRUST FUND.**

Section 13 of the Morris K. Udall and Stewart L. Udall Foundation Act (20 U.S.C. 5609) is amended—

(1) in subsection (a), by striking “2023” and inserting “2029”;

(2) in subsection (b), in the matter preceding paragraph (1), by striking “2023” and inserting “2029”;

(3) in subsection (c), by striking “5-fiscal year period” and all that follows through the period at the end and inserting “5-fiscal year period beginning with fiscal year 2025.”.

**SEC. 4. AUDIT OF THE FOUNDATION.**

Not later than 4 years after the date of enactment of this section, the Inspector General of the Department of the Interior shall complete an audit of the Morris K. Udall and Stewart L. Udall Foundation.

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

The bill was read the third time.

The bill (H.R. 2882), as amended, was passed.

**PENSACOLA AND PERDIDO BAYS ESTUARY OF NATIONAL SIGNIFICANCE ACT OF 2023**

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be discharged from further consideration of S. 50 and the Senate proceed to its immediate consideration.

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

The senior assistant legislative clerk read as follows:

A bill (S. 50) to amend the Federal Water Pollution Control Act to require the Administrator of the Environmental Protection Agency to give priority consideration to selecting Pensacola and Perdido Bays as an estuary of national significance, and for other purposes.

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

Mr. SCHUMER. I ask unanimous consent that the Rubio substitute amendment at the desk be considered and agreed to and the bill, as amended, be considered read a third time.

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

The amendment (No. 1694) in the nature of a substitute was agreed to as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Pensacola and Perdido Bays Estuary of National Significance Act of 2024”.

**SEC. 2. PENSACOLA AND PERDIDO BAYS.**

Section 320(a)(2)(B) of the Federal Water Pollution Control Act (33 U.S.C. 1330(a)(2)(B)) is amended by striking “and Lower Columbia River, Oregon and Washington” and inserting “Lower Columbia River, Oregon and Washington; and Pensacola and Perdido Bays, Florida”.

**SEC. 3. INELIGIBILITY WITH RESPECT TO FISCAL YEARS 2024 AND 2025.**

With respect to the amendment made by section 2, the Administrator of the Environmental Protection Agency may not use for the implementation of that amendment, including, with respect to Pensacola and Perdido Bays, Florida, convening a management conference, developing or carrying out a comprehensive conservation and management plan, or providing grants under section 320 of the Federal Water Pollution Control Act (33 U.S.C. 1330)—

(1) any amounts appropriated to carry out the national estuary program under that section for fiscal year 2024; or

(2) unless the total amount appropriated to carry out that program for fiscal year 2025 is at least \$850,000 more than the total amount appropriated to carry out that program for fiscal year 2023, any amounts appropriated to carry out that program for fiscal year 2025.

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

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

The PRESIDING OFFICER. Is there further debate?

If not, the bill having been read the third time, the question is, Shall the bill pass?

The bill (S. 50), as amended, was passed.

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

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

**NATIONAL CACFP WEEK**

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 587, submitted earlier today.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 587) designating the third week of March 2024 as “National CACFP Week”.

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

Mr. SCHUMER. 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. 587) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today’s RECORD under “Submitted Resolutions.”)

**ORDERS FOR THURSDAY, MARCH 14, 2024**

Mr. SCHUMER. Finally, Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 10 a.m. on Thursday, March 14; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; that upon the conclusion of morning business, the Senate proceed to executive session for the consideration of Calendar No. 318, Dennis Hankins, to be Ambassador to the Republic of Haiti; further, that at 12 noon the Senate vote on the confirmation of the Hankins nomination, and that if the nomination is confirmed,

the motion to reconsider be considered made and laid upon the table, and the President be immediately notified of the Senate’s action; that upon disposition of the nomination, the Senate resume consideration of the Berner nomination; further, that the cloture motion with respect to the Berner nomination ripen at 1:45 p.m.

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

**ADJOURNMENT UNTIL THURSDAY, MARCH 14, 2024 AT 10 A.M.**

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

There being no objection, the Senate, at 7:29 p.m., adjourned until Thursday, March 14, 2024, at 10 a.m.

**NOMINATIONS**

Executive nominations received by the Senate:

**IN THE AIR FORCE**

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

MAJ. GEN. DEREK C. FRANCE

**IN THE MARINE CORPS**

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

MAJ. GEN. ERIC E. AUSTIN

**IN THE COAST GUARD**

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS VICE COMMANDANT IN THE UNITED STATES COAST GUARD AND TO THE GRADE INDICATED PURSUANT TO THE AUTHORITY OF TITLE 14, U.S.C., SECTION 304:

*To be admiral*

VICE ADM. KEVIN E. LUNDAY

**CONFIRMATIONS**

Executive nominations confirmed by the Senate March 12, 2024:

**DEPARTMENT OF STATE**

SEAN PATRICK MALONEY, OF NEW YORK, TO BE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE ORGANIZATION FOR ECONOMIC COOPERATION AND DEVELOPMENT, WITH THE RANK OF AMBASSADOR.

**THE JUDICIARY**

MELISSA R. DUBOSE, OF RHODE ISLAND, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF RHODE ISLAND.

SUNIL R. HARJANI, OF ILLINOIS, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF ILLINOIS.

JASMINE HYEJUNG YOON, OF VIRGINIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF VIRGINIA.