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Senate

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

PRAYER

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

Let us pray.

Eternal God, the center of our hope, You have given us this day for our use. From the rising of the Sun until the setting of the same, Your Name deserves our praise. Today, bless our lawmakers with Your guidance and peace. Give them hope and purpose as they work on Capitol Hill, reminding them that their steps are ordered by You and that You will supply their needs. Show them that right defeated is better than triumphant evil. Lord, encourage them to wisely use their time to contribute to peace and harmony in our Nation and world.

We pray in Your sovereign Name. Amen.

PLEDGE OF ALLEGIANCE

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

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, September 17, 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 Mary Kathleen Costello, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania.

RECOGNITION OF THE MAJORITY LEADER

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

RIGHT TO IVF ACT

Mr. SCHUMER. Mr. President, there is perhaps no more personal a decision one can make than the decision of whether or not to start a family. For many people, starting a family is the greatest joy there is. It makes everything else secondary.

Yet for millions and millions of people, infertility can be a nightmare and a source of pain. Thankfully, we live in a time when, thanks to treatments like IVF, infertility is not the end of the story.

Sadly, accesses to IVF can no longer be taken for granted. From the moment the MAGA Supreme Court eliminated Roe, the hard right made clear that they would keep going. As we saw earlier this year in Alabama, IVF has become the next target of ultraconservatives, and access to this incredible treatment is more vulnerable than ever.

Today, the Senate will hold a simple and pivotal vote on whether or not to take up, once again, the Right to IVF Act. I thank Senator DUCKWORTH, as well as Senators MURRAY and BOOKER and all the others, who have championed this bill for months. They are great leaders on this issue.

If the Senate votes no today and strikes IVF protections down yet again, it will be further proof that Project 2025 is alive and well.

Remember: Donald Trump's Project 2025 is tied to the Heritage Foundation, one of the most important and extreme conservative think tanks in the country. And, earlier this year, they came out fiercely against today's bill protecting IVF. They were even against the fig-leaf fake IVF bill pushed by Senators CRUZ and BRITT. That is how extreme they are.

If people want to see how strong Project 2025's grip is on the GOP, the outcome of today's IVF vote will be very, very revealing.

And yet, by all accounts, there is every reason in the world for Senators to vote yes today. Today's vote is simply a motion to reconsider. We are merely asking whether or not this bill is worth debating. Democrats certainly think it is. We certainly think that if any issue is worth discussing in this Chamber, it is protecting Americans' reproductive freedoms. And we Democrats extend an open invitation to our Republican colleagues to join us.

Republicans regularly claim that they are the party that stands up for

families. Well, today's bill is about as pro-family as it gets. It helps create families—IVF does. It says that access to IVF should be a basic right for all. And it will make sure insurance companies cover IVF treatments in their plans.

The last point is key. Expanding insurance coverage for IVF is something the vast majority of Americans support. A survey from Pew Research from last month showed that even a majority of Republicans surveyed support it—even a majority of Republicans.

Nevertheless, 3 months ago, nearly every Senate Republican voted against protecting IVF in this Chamber. It was astounding to watch them. With a straight face, our Republican colleagues claimed that, of course, they cared about supporting families; of course, they supported IVF—just not enough to actually vote to protect it.

That makes no sense—no sense. Republicans can't just talk their way past an issue as personal as IVF. What ultimately matters is how they vote on the issue.

So to my Republican colleagues today, you get a second chance: Either stand with families struggling with infertility or stand with Project 2025, which aims to make reproductive freedoms extinct.

If the Republicans truly care about helping families, they should vote yes to protect IVF. If the Republicans truly reject the insanity and cruelty—cruelty—of Project 2025 and its extreme conservative agenda, they should vote yes to protect IVF.

On the other hand, if Senate Republicans vote no today and strike IVF protections down again, it is further proof that Project 2025 is alive and well.

So, again, we hope Republicans join us to do the right thing. We ask Republicans to join us because women's reproductive freedoms are in a time of crisis, and we need to push back.

It has been 2 years since the MAGA Supreme Court overturned Roe v. Wade. Today, 22 States have passed abortion restrictions—14 of them essentially full bans. Over one in three American women have lost access to reproductive care. Many of them have to drive hundreds of miles out of State to get the care they need, and that still often comes with long wait times. Doctors fear they will be jailed if they offer treatments. Women in need are at risk of being turned down at hospitals, and it can become a matter of life and death.

This week, America tragically learned of the first confirmed case of a woman dying because abortion bans prevented her from getting the care she needed. She was a young woman from Georgia, a 28-year-old and the mother of a 6-year-old. She had to travel out of State to get reproductive care, and when she needed emergency surgery after a rare complication, doctors in Georgia delayed giving her the care she needed because of the new restrictions on the books. By the time she went into surgery, unfortunately, it was too late. She tragically passed away. The State declared that her death was preventable had she only gotten care sooner.

Worst of all, there are, undoubtedly, more cases like hers. These are the terrible and deadly consequences of restricting reproductive freedom. The tragedy that happened in Georgia, of a preventable death because of abortion bans, is why Project 2025 is so dangerous: deadly restrictions to reproductive care; monitoring women's pregnancies; banning mifepristone; laying the groundwork for a national abortion ban; putting IVF at risk.

To my Republican colleagues, the choice is yours. Americans are watching; families back home are watching; and couples who want to become parents are watching too. Republicans cannot say they are pro-family but vote against protecting IVF. They cannot say they reject Project 2025 but vote against protecting IVF. That is what is at stake today. I urge everyone to vote yes.

GOVERNMENT FUNDING

Now, Mr. President, on the CR, the clock is ticking for Congress to reach an agreement to keep the government open beyond the September 30 deadline. That is 13 days away. At this point in the process, the only way we can prevent a harmful government shutdown is by both sides working together to reach a bipartisan agreement. That is the only way.

Speaker JOHNSON is reportedly going to hold a vote on a 6-month CR tomorrow, but the only thing that will accomplish is to make clear that he is running into a dead end. We must have a bipartisan—a bipartisan—plan instead.

Now, I will say this: For all of its faults, I am heartened about one thing that Speaker JOHNSON is doing. Speaker JOHNSON's plan preserves the essence of the Schumer-Johnson agreement that set top-line funding levels for the current fiscal year, 2024. It is encouraging to see that Speaker JOHNSON, at least for now, is resisting the hard-right choices in his party and not pushing across-the-board cuts that would be so harmful to the American people. I hope it is a sign that the Speaker realizes that these bipartisan funding levels must be part of any solution moving forward.

But, beyond that, the Speaker's CR is too unworkable. I urge him to drop his plan and to work together to reach a bipartisan agreement with the other leaders: Leader MCCONNELL, Leader JEFFRIES, and myself as well as the White House. We do not have time to spare.

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.

HONORING SHERIFF'S DEPUTY JOSH PHIPPS

Mr. MCCONNELL. Mr. President, unfortunately, I need to begin this morning with some tragic news from Kentucky.

Late last night, Sheriff's Deputy Josh Phipps, of Russell County, was killed in the line of duty. His sacrifice is a sober reminder of the debt we owe our courageous law enforcement officials. They are the first to run toward fire and the first to put themselves in harm's way to keep us safe.

Today, I know the entire Commonwealth is holding Sheriff's Deputy Phipps in our thoughts and our prayers. So I would ask my colleagues to join me in sending our deepest sympathy to Russell County and the Phipps family as they mourn his loss.

JUDICIAL ETHICS

Mr. President, on another matter, free speech has been an animating principle for my entire career here in the Senate. I am second to no one in my defense of the First Amendment. So I have found the recent habit of the Federal judiciary's bureaucracy to try and abridge its protections alarming, to say the least.

The courts are where citizens go to have their free speech rights vindicated against censorious government officials. I know this from experience. I sued to stop the anti-speech campaign finance rules signed into law by President Bush, and I took it all the way to the Supreme Court.

But where do people go when the courts decide to behave like any other branch of government? When they put other interests over the First Amendment? Even having to ask the question is troubling.

Two of my colleagues and I recently wrote to the head of the Standing Committee on Federal Rules to express our opposition to the proposed amendment to the rules governing appellate courts. The amendment is the result of persistent bullying of the Senate Democrats, and it would force parties seeking to be heard as friends of the court to disclose their donors in certain instances.

The forced disclosure of donors is a longstanding offense against the First Amendment. This has been abundantly clear since Justice Harlan eloquently explained it in NAACP v. Alabama. The courts only tolerate forced disclosure in cases of actual candidate electioneering to ensure election integrity. But court cases aren't elections, and friends of the court are not candidates. The fact that the Appellate Rules Committee doesn't understand this and wants to chill free speech by mandating donor disclosure is a shocking reversal of NAACP v. Alabama.

That is why my colleagues and I encouraged the Standing Committee, the Judicial Conference, and the Supreme Court to scrap—scrap—this unconstitutional amendment.

Unfortunately, there is even more. Another committee in the judiciary bureaucracy, the Codes of Conduct Committee, recently amended one of its advisory opinions to prevent law clerks from seeking political employment. This is the same committee that tried to ban Federal judges from joining the nonpartisan Federalist Society while allowing them to join the highly partisan and leftwing American Bar Association. The committee reversed itself on that boneheaded decision after an uproar, an uproar from the judges of all political stripes.

In its new advisory opinion, the committee concluded that clerks could seek employment from law firms, impact litigators, elected officials, and the government, but they cannot even talk to political parties or candidates for office about a job. Doing so, they conclude, ''risks linking the judge's chambers to political activity, which could compromise the independence of the judiciary.''

Consider just how absurd this is. First, political activity is at the core of freedom of speech. To single it out for a special disability among clerks seeking employment turns the First Amendment on its head. Prohibiting a clerk from discussing employment options with the Harris campaign because it might make ''the judiciary'' look bad hurts the clerk's constitutional rights in order to preserve some theoretical, attenuated interest.

Second, it is indeed a special disability and one that has no correspondence to the real world. Why is the ''link'' any more problematic when a clerk wants to talk to a Republican campaign, which is prohibited, but not when she wants to talk to an elected Republican, which is allowed? What about seeking employment as a political appointee in a highly partisan Garland Justice Department? Do the large law firms to which the Democratic Party outsources its campaign litigation not provide a ''link'' to the judiciary?

Indeed, one prominent law firm, the Elias Law Group, explicitly claims that its goal is to elect Democrats. And yet a clerk can presumably seek employment there but not from the Democratic National Committee? These are distinctions without differences.

But wait, there is more. Last week, the Judiciary Conference, in its zeal to take a hard line against misconduct in the workplace, referred a disgraced former judge to the House for impeachment. Yes, that is right. They referred a private citizen for impeachment.

Without getting into the merits of the allegations against the former judge—other than to note that they caused him to resign in disgrace—this was a remarkable action by the Federal bureaucracy. They were surely aware that whether or not you can impeach a former official is hotly disputed, but they referred it anyway.

In other words, while trying to make a point about one political issue—workplace misconduct in the judiciary—they ended up making a point about another one—the impeachment of former officials. And for what? Forty sitting Senators have already said that you can't do this as a matter of constitutional law, thereby making the conviction all but impossible.

The judiciary itself is under increasing attack from Democrats who want to destroy it as an independent branch of government, and the judicial bureaucracy seems desperate to appear apolitical. It has been taking affirmative steps to virtue signal on issues that matter to Democrats, from Federalist Society membership to single-judge divisions to amicus disclosure.

It would be one thing if this were empty virtue signaling, but we are talking about behavior increasingly in tension with constitutional provisions, including First Amendment rights.

So my advice to the Judicial Conference is this: The way to avoid getting involved in politics is to avoid getting involved in politics.

TOBACCO-FREE USE ACT

Now, on another matter, Mr. President, I would like to end on something the walls of this Chamber don't hear enough of—some good news. According to an annual survey conducted by the CDC and the FDA, the number of young people in America smoking e-cigarettes dropped to its lowest level in the last decade. Let me say that again. E-cigarette use among America's youth is now roughly one-third of the alltime high it hit just 5 years ago.

There are a lot of factors at play in this downward trend, but one powerful tailwind originated right here in the Senate.

In 2019, youth e-cigarette use was at its peak. That is the year that I wrote and introduced the Tobacco-Free Use Act with my good friend Senator KAINE from Virginia. Our bipartisan bill raised the minimum age to purchase tobacco products, including e-cigarette devices, from 18 to 21.

We didn't try to reinvent the wheel. We knew that nearly all smokers—roughly 95 percent of them—started by the age of 21. By raising the age limit, less tobacco winds up in high schools, which means less opportunity for children to get their hands on addictive vaping devices.

This issue hits close to home. Kentucky has the highest cancer rate in the country. In years past, we have even topped the list for higher proportion of cigarette-related cancer deaths.

Now as the senior Senator from Kentucky, my decision to spearhead this litigation surprised some people. My home State has a close connection to tobacco. But as I pointed out in the past, Kentucky farmers don't want their children forming nicotine addictions any more than any other parent.

If we have learned anything in the fight against addiction is that families are right to be worried. At this critical stage of development, nicotine products can be the first step in a life maligned by serious health problems.

So while more work remains, I am proud that the Senate stepped up to address this public health crisis, and I am grateful to see this legislation is actually making a difference.

I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

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

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

TRUMP ASSASSINATION ATTEMPT

Mr. THUNE. Mr. President, before I begin, I just want to say how grateful I am that President Trump is safe after what appears to be a second attempt on his life in the space of 2 months.

The trend this election cycle has taken toward violence is disturbing to say the least, and I hope this weekend's events will prompt reflection on our political discourse and the importance of not letting our disagreements lead to the dehumanization of our opponents.

I am grateful for all the law enforcement personnel who responded and helped prevent another tragedy, and I look forward to seeing a thorough investigation.

NATIONAL SECURITY

Mr. President, perhaps the most important thing we do here in Congress is to provide for our Nation's defense. I have said it before, and I will say it again: If we don't get national security right, the rest is just conversation. Everything else we do in government and our very existence as a nation depends on our getting security right.

National security, Mr. President, is not a one-and-done kind of a situation. We can't rely on a one-time military buildup or the reputation we have earned as a superpower to keep our Nation safe. Tactics change, technology changes, weapons change, and reputations—even strong ones—eventually change if they are not backed up with substance. Maintaining a robust national defense has to be a permanent focus, year in and year out. There is no time in which we can afford to put national security on the back burner or underfund our Nation's military—which brings me to where we are today.

Mr. President, in July of this year, the Commission on the National Defense Strategy released its report. It had this to say:

The Commission finds that the U.S. military lacks both the capabilities and the capacity required to be confident it can deter and prevail in combat.

Let me just repeat that.

The Commission finds that the U.S. military lacks both the capabilities and the capacity required to be confident it can deter and prevail in combat.

Another quote from the Commission's report said this:

The Commission finds that, in many ways, China is outpacing the United States and has largely negated the U.S. military advantage in the Western Pacific through two decades of focused military investment. Without significant change by the United States, the balance of power will continue to shift in China's favor.

Mr. President, from the Strategic Posture Commission report:

Today the United States is on the cusp of having not one, but two nuclear peer adversaries, each with ambitions to change the international status quo, by force, if necessary: a situation which the United States did not anticipate and for which it is not prepared.

Let me again say that: ''a situation which the United States did not anticipate and for which it is not prepared.''

In short, we have work to do. We are not where we should be when it comes to our national defense. While our preparedness lags, the world isn't getting any safer. If anything, it is getting more dangerous.

Over the course of the Biden-Harris administration, we have seen Russia invade the sovereign nation of Ukraine, China growing increasingly aggressive in the Pacific, a brutal terrorist attack on Israel that left more than 1,000 dead, terrorists threatening shipping in the Middle East—and the list literally goes on and on.

This summer alone, Russian and Chinese bombers for the first time sortied together 200 miles off the coast of Alaska—an alarming display of the growing ties between those two nations. Taiwan reported 305 airspace violations by Chinese aircraft in the month of June—the second highest monthly total on record. The Chinese continue to swarm and even collide with ships from the Philippines. Just 2 weeks ago, Japan for the first time reported an incursion of a Chinese aircraft into its airspace. In the Middle East, U.S. military members have continued to combat terrorists on land and Houthi attacks on U.S. ships and international shipping in the Red Sea.

Hamas still holds upwards of 100 hostages in Gaza, including 7 Americans. Iran has sent close-range ballistic missiles to Russia, presumably for use against the Ukrainian people. A Pakistani national with ties to Iran was charged with plotting the assassination of multiple U.S. politicians.

I could go on.

Given all of this, you would think Democrat leadership here in the Senate would have made our yearly Defense bills—the National Defense Authorization Act and our Defense appropriations bills which fund that act—a priority, but you would be wrong. We are 2 weeks away from the end of the fiscal year, and we haven't touched the National Defense Authorization Act since it was passed by the committee, much less touched the Defense appropriations bills.

And it is not because we have been passing a bunch of other substantive pieces of legislation. Aside from the Kids Online Safety and Privacy Act, we have basically spent the entire summer confirming Biden nominees and taking show votes selected by the Democrat leader. As a result, the fiscal year will close and the new one begin without a Defense authorizing bill and without Defense appropriations bills. Instead, our military will have to continue operating under inadequate 2024 funding levels. Existing modernization projects will be delayed, and urgent new programs will be put off.

I haven't even talked about the message these delays send to our enemies. Anyone who thinks our enemies aren't emboldened by this careless attitude toward our national security needs to think again.

For that matter, what message do these delays send to our allies? I recently returned from a trip to Japan and South Korea, led by my colleague Senator HAGERTY, to build relationships and enhance trilateral cooperation. We stressed the imperative of investing in our mutual defense cooperation—a message that will be undercut by our putting defense legislation on the back burner. Likewise, our message to allies and partners around the world that they should take more seriously their own defense investments will be juxtaposed against our own inaction.

Needless to say, it didn't have to be this way. If the Democrat leader had been more interested in meeting Congress's basic responsibilities than in conducting show votes he hopes may win Democrats a few votes in November, we could have already passed not only the National Defense Authorization Act but the Defense appropriations bill that funds that act as well. As it is, thanks to the decisions of the Democrat leader, our military will have to wait at least until after the election. Meanwhile, our adversaries' efforts continue.

Mr. President, this isn't the first time in the Biden-Harris administration that Democrats have chosen to put our national defense on the back burner. While we don't know what the Senate or the Presidency will look like next year, I hope—I sincerely hope—that we will have leaders who take our national security a little more seriously because I suspect that if we don't, we will have cause—great cause—to regret it.

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.

Mrs. GILLIBRAND. 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.

CLOTURE MOTION

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

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 778, Mary Kathleen Costello, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania.

Charles E. Schumer, Richard J. Durbin, Sheldon Whitehouse, Laphonza R. Butler, Benjamin L. Cardin, Mazie K. Hirono, Chris Van Hollen, Ben Ray Luján, Brian Schatz, Thomas R. Carper, Margaret Wood Hassan, Christopher Murphy, Tammy Duckworth, Tina Smith, Jack Reed, Patty Murray, Amy Klobuchar.

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 Mary Kathleen Costello, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant bill clerk called the roll.

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

Mr. THUNE. The following Senators are necessarily absent: the Senator from South Dakota (Mr. ROUNDS), the Senator from North Carolina (Mr. TILLIS), and the Senator from Ohio (Mr. VANCE).

Further, if present and voting: the Senator from North Carolina (Mr. TILLIS) would have voted ''yea.''

The yeas and nays resulted—yeas 54, nays 42, as follows:

[Rollcall Vote No. 241 Ex.]

YEAS—54

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

NAYS—42

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

NOT VOTING—4

Manchin	Tillis
Rounds	Vance

The PRESIDING OFFICER (Mr. HICKENLOOPER). On this vote, the yeas are 54, the nays are 42.

The motion is agreed to.

RECESS

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

Thereupon, the Senate, at 12:38 p.m. recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. LUJÁN).

LEGISLATIVE SESSION

RIGHT TO IVF ACT—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session and resume consideration of the motion to proceed to S. 4445, which the clerk will report.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 413, S. 4445, a bill to protect and expand nationwide access to fertility treatment, including in vitro fertilization.

The PRESIDING OFFICER. The Senator from Alabama.

UNANIMOUS CONSENT—S. 4368

Mrs. BRITT. Mr. President, I am proud today to be joining my colleague from Texas in support of the IVF Protection Act. I am grateful to Senator CRUZ for his leadership on this important topic.

Both Senator CRUZ and I are parents. We can both attest to the fact that there is no greater blessing in life than our children. For many Americans, building a family, becoming a mom or a dad—that is their American dream.

IVF makes the difference in achieving that dream for millions of Americans who are facing infertility. IVF helps aspiring parents to start families, to grow their family. In the United States, nearly 200 babies are born a day, so nearly 2 percent of all babies born are because of IVF.

This treatment is really a game changer for so many families; that is why I strongly support continued nationwide access to IVF. IVF is legal and available from coast to coast, in every single corner of America, and in all 50 States.

That includes my home State of Alabama, where Governor Ivey and the Alabama legislature acted quickly to protect IVF access.

Today, we have an opportunity to act quickly and overwhelmingly to protect continued nationwide IVF access for loving American families.

Our IVF Protection Act would do just that: It would give aspiring parents nationwide the certainty and peace of mind that IVF will remain legal and available in every State. Our bill is the only bill that protects IVF access while safeguarding religious liberty.

It also could get 60 votes in the U.S. Senate, and isn't that the point? Yet we are going to have a show vote when we have been talking and saying that we want to protect access to IVF, but yet no one is working to actually get to the 60-vote threshold, which makes me wonder how serious my colleagues on the other side of the aisle are about this.

In an era of hyperpartisanship, this bill, the IVF Protection Act, should be the one that is on the floor today. This is the bill that will give aspiring parents confidence and continued hope that their dreams of bringing life into this world can come true.

Look, as I talk to families across Alabama and parents who are hopeful they can bring a child into this world, making sure that this process is protected and available is critically important.

However, this bill is not the one the Democrats are putting on the floor. This is not drafted in that way. It is drafted to be a partisan scare tactic in what we are going to see today. For example, it is not written in a way to narrowly cover IVF; it includes completely separate treatments and technology, even including human cloning.

Democrats are choosing to spread misinformation rather than fostering hope. The American people deserve better. The path forward is Senator CRUZ and my IVF Protection Act. Again, I want to applaud my colleague from Texas for his unwavering and continued support for nationwide IVF access.

While Democrats prioritize scaring families, Republicans will continue to fight for them. I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CRUZ. Mr. President, I want to thank my friend Senator BRITT for her powerful and passionate defense of in vitro fertilization. Senator BRITT has been an incredible partner as she and I have worked to pass landmark Federal legislation protecting IVF for every American.

I am proud to rise once again to speak on an issue that is personal and vital to millions of American families: the protection of in vitro fertilization. IVF is a medical miracle that has brought the joy of parenthood to millions of families who otherwise might never have experienced it.

I am an unequivocal supporter of protecting IVF, and I am grateful that IVF has given so many parents struggling with infertility the gift of finally holding a child, a baby, in their arms, finally having the opportunity to be a mother or a father and to raise a son or daughter and to give all of the love in a family that they so desperately want to give.

Today, unfortunately, my colleagues on the other side of the aisle are staging an empty show vote on what they call an IVF bill in order to stoke baseless fears about IVF and push their broader political agenda.

Let's be clear, there is not a single Senator in this Chamber, on either side of the aisle, who wants to ban IVF. All 100 Senators, to the best of my knowledge, support IVF. Not a single one has called for banning it.

And yet I previously voted against the Democrats' partisan legislation because it is not an IVF bill. It is designed to backdoor and federalize broad abortion legislation, which I understand is the Democrats' partisan position, but it is contrary to the views of a great many Americans.

And the partisan Democrat bill also deliberately overturns the conscious protections of the Religious Freedom Restoration Act. You know, it is unfortunate that Democrats have abandoned what used to be a bipartisan commitment to religious liberty and they are now more than willing to overturn religious liberty protections.

Instead of pushing a partisan and, frankly, cynical agenda, I invite my Democratic colleagues to actually do what they claim they want to do, which is work with me today and stand together to pass clear Federal legislation protecting IVF.

IVF is profoundly pro-family. Over 8 million babies have been born through IVF, providing millions of American families the chance to embrace the joy of raising a child. It is an avenue of hope for those struggling with infertility.

Misconceptions and deliberate scare tactics from the Democrats about the legal standing of IVF will only serve to hurt families who are desperately trying to welcome a child into their lives.

What the American people deserve is straightforward, pro-IVF legislation. That is why my colleague Senator BRITT and I have introduced the IVF Protection Act, legislation that offers ironclad, Federal statutory protection for IVF.

Our bill does not engage in backdoor politics. It does not infringe on the deeply held beliefs of individuals or organizations. It simply does what needs to be done: safeguarding the right of couples to grow their family if they choose to use IVF. Because this should not be a political issue; instead, it is a deeply human issue.

Our bill unequivocally prohibits any State or local government from banning IVF, ensuring that no family will be caught in the crossfire of State-level judicial interpretations. It provides peace of mind to parents and to aspiring parents, while still allowing States to implement reasonable health and safety standards.

It ensures that access to IVF is fully protected by Federal law so that every family praying to have a child will be fully protected in their right to pursue parenthood.

This isn't just policy. It is a promise to honor and support your desire to welcome a new baby into your family.

I urge my colleagues on both sides of the aisle to support this bill. This is a

moment for us to unite political divides and affirm our shared belief in the sanctity of family and the promise of life.

In just a moment, I will propound a unanimous consent request to take up and pass the Cruz-Britt bill. Because if we truly stand with families, we must act now to ensure that IVF remains protected today and for generations to come.

Now, for those of you in the gallery, those of you at home, there are times when Senate procedure can sound confusing. I want to explain what you are about to see. I am going to ask this body for unanimous consent to pass Senator BRITT's and my legislation protecting IVF, putting it into Federal law, a clear Federal statutory protection for IVF.

After I ask for consent, we are going to see a Democrat Senator stand up and begin speaking. When she begins speaking, you should listen to two magic words: ''I object.''

If the Democrats say those words, ''I object,'' it will defeat this bill. And I want you to understand all that is necessary is for the Democrats not to say those words, ''I object.'' We could have Democrat Senators stand up and give speeches about all of their policy priorities, but understand, the show vote this afternoon is not about IVF, because if the Democrats wanted to protect IVF, this bill would pass 100 to nothing right now.

What the show vote this afternoon is about is Democrats want to spend hundreds of millions of dollars running TV ads in an election season falsely claiming that Republicans oppose IVF.

So listen carefully, if you hear the words ''I object'' from Senate Democrats, then you will understand the only reason that IVF is not protected with strong, ironclad protection in Federal statute is because Senate Democrats cynically object to protecting IVF.

And I would note to the members of the media who are writing on this, the Democrats are staging the show vote to get the headlines. They want you to write headlines: Every Republican opposes IVF.

Well, if you are going to write those false headlines, at least include the facts that today the Senate would have passed 100 to nothing strong, clear Federal protection of IVF for every mom and dad, every parent in America but for the fact that Senate Democrats cynically object while they claim to support IVF.

Well, let's listen and see what happens. Let's hear if we hear the words ''I object.''

Mr. President, I ask unanimous consent that the Finance Committee be discharged from further consideration of S. 4368 and the Senate proceed to its immediate consideration. I further ask that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Washington.

Mrs. MURRAY. Mr. President, reserving the right to object. I have been perfectly clear about the glaring issue with this Republican bill. The cold, hard reality is this Republican bill does nothing to meaningfully protect IVF from the biggest threats from lawmakers and anti-abortion extremists all over this country.

It would still allow States to regulate IVF out of existence. And this bill is silent on fetal personhood, which is the biggest threat to IVF. It is silent on whether States can demand that an embryo be treated the same as a living, breathing person or whether parents should be allowed to have clinics dispose of unused embryos, something that is a common, necessary part of the IVF process.

Talk to the experts who provide this care. Talk to the families who are seeking it. And that question looms large in their mind.

What are we supposed to do if our State says these embryos are living, breathing people? Do we have to do this process in another State? What is our legal risk here?

That uncertainty is at the core of the chaos Republican bans have caused. The last time Republicans offered this hollow gesture of a bill, I asked the junior Senator from Texas point-blank: Do you support letting parents have unused embryos disposed of? And a funny thing actually happened: He said on the floor ''I will answer that question,'' but he never did. He spoke about what the laws in some of our States are, but he never actually said what he supported; he never said what he believes should be Federal law; he never mentioned that he once pledged to support a constitutional amendment to establish fetal personhood as the law of the land.

So I ask all of my Republican colleagues once again: As a matter of national policy, should parents be allowed to dispose of unused embryos? If so, why is that key provision missing from your bill? Well, we all know why. If not, how can you look the American people in the eye and say you support IVF? It doesn't compute.

Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Texas.

Mr. CRUZ. Mr. President, I would note there is one reason and one reason only that the Senate has not passed 100 to nothing a clear, unequivocal Federal protection of IVF: because Senate Democrats cynically chose to object.

The Senator from Washington raised all sorts of issues that are, frankly, red herrings. The issues she raised are current State law in multiple States, including Louisiana, including Missouri, including Georgia. Yet, IVF is fully protected and available in those States.

Senator BRITT and I very consciously focused this bill on issues that could command bipartisan agreement. There is not a word in this bill that any Senator, Democrat or Republican, disagrees with.

Understand why the Democrats are objecting. The Democrats are objecting because they do not want to protect IVF in Federal statute. It is cynical because we are 49 days away from Election Day, and they intend to try to scare voters in elections across the country by misleading the voters—I will point out, at the same time that we have a Presidential election.

Many of us served with the Vice President, KAMALA HARRIS. I remember Vice President HARRIS voting again and again and again against border security, against a border wall. Yet, right now, Vice President HARRIS is spending millions of dollars running ads with pictures of Donald Trump's border wall. It is deeply cynical, and it is because she is running away from her open borders record.

The same is true here. The Democrats are going to spend millions of dollars arguing that Republicans are opposed to IVF and ignoring the fact that it is Democrats standing up and objecting that prevent it from being protected in Federal law.

The Democrats don't want to protect IVF because if we pass this law, do you know what? They couldn't run their misleading campaign commercials. So from a partisan perspective on the Democrat side, it is far better to block strong Federal legislation protecting IVF than to actually come together in a bipartisan way and pass this. I wish we had done that, but this is an election season, and perhaps that is asking too much from my colleagues.

Mr. CORNYN. Will the Senator yield for a question?

Mr. CRUZ. I would happily yield to Senator CORNYN for a question.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. I am a little confused. If the Democrats sincerely want to pass a law relative to IVF, wouldn't they ordinarily work to have an amendment process where we can actually have debate and maybe achieve some consensus?

It seems to me that by introducing a bill that they know is bound to fail and blocking the bill that you and the Senator from Alabama have offered, they are guaranteeing there will be no Federal protection for IVF. Am I missing something?

Mr. CRUZ. As usual, my friend, the fellow Senator from Texas, you are not missing something. That is precisely what is going on. This is not lawmaking. This is politics. This is partisan politics. This is an election campaign commercial that the Democrats are engaging in.

To make clear, Leader SCHUMER knows the result of the vote this afternoon. Why? Because we had the same vote just a couple of months ago. He knows exactly the result. Why are we voting on it again? Because they want

reporters to write the same headlines again to deceive the voters.

Again, I invite my Democrat colleagues, this should be an easy bill to support if—and this is a big ''if''—in good faith you actually want to protect IVF legislation.

If you want a campaign issue, the worst thing for Democrats is actually to pass the Cruz-Britt bill because then it takes the issue off the table because every mom and dad and every woman or man who wants to be a mother or father knows IVF is protected. The Democrats don't want that.

Mr. CORNYN. Would the Senator yield for one more question?

Mr. CRUZ. I am happy to yield to Senator CORNYN.

Mr. CORNYN. So if Senator SCHUMER and Senator MURRAY—the Senate Democrats who offered this bill—were actually serious about passing a bill to protect IVF, wouldn't the logical approach be to make sure there was an opportunity to offer and vote on an amendment? If they were to prevail in their version of the bill, well, 60 Senators could determine that and make that happen.

If, in fact, 60 Senators agreed with the bill that you and the Senator from Alabama have offered, then that bill would prevail and go to the House and then presumably to the President for his signature. But apparently they are afraid to allow the Cruz-Britt bill to even get a vote. They have so little confidence in the likely electoral outcome of their proposal that they don't even want a vote on the Cruz-Britt bill.

So, again, I just wanted to ask the Senator a couple of questions because I was wondering whether I was missing something. This seems like, as you said, a cynical show vote and certainly not one to accomplish a result. I appreciate your answering the question.

Mr. CRUZ. The Senator from Texas is exactly correct. As Senator CORNYN knows well, there are multiple ways to draft a bill. What the Democrats have drafted is a bill that is intended to force Republicans to vote no because that is the objective. They want the ''no'' vote. They deliberately have put poison pills in this bill. They call it an IVF bill, but it is a radical pro-abortion bill, and it is a radical anti-religious liberty bill. Their objective is they want their bill to fail because this is all about misleading campaign commercials.

The bill that Senator BRITT and I drafted—we worked very carefully to draft a bill that every Senator could agree with. There is not a word in our bill that the Democrats disagree with.

Look, abortion is an issue that divides this Chamber. There are some of us who are pro-life; there are others who are pro-choice. Senator BRITT and I recognized we were not going to resolve the disagreements on abortion on the floor today, so we deliberately drafted a bill that is focused on IVF specifically.

There are no poison pills in our bill. There is nothing designed to force the Democrats to vote no.

Senator CORNYN is exactly right that if our bill were on the floor, I believe it would pass. I believe any Democrat voting honestly would vote for it, but I think, at a minimum, we would get 60 votes and enough to pass it, which is why the Democrats object to taking it up—because they want their bill to fail in order to be misleading.

Mrs. BRITT. Would the Senator yield for a question?

Mr. CRUZ. I am happy to yield to the Senator from Alabama.

Mrs. BRITT. So it is my understanding, as the 2 of us came together, 49 Republicans-strong, sent a letter—a statement saying we strongly support IVF. Now, if the Democrats were serious about needing to protect IVF—which, by the way, is legal and accessible in every State—then wouldn't they have come to us to figure out a pathway forward? Yet, today, instead of taking our bill and, if they feel like it needs to be improved, working to do that, they are choosing to do a show vote just to give themselves something to campaign on.

Has anyone approached you about working together to find a pathway forward for IVF? Because I am a strong supporter of IVF. I am proudly here pro-family and believe that we need to find ways to make sure that people do have access and that it continues that way, and I think we have been very clear. But no one has approached me. And you have to get to 60.

So if you really believe that IVF is in trouble and in jeopardy, then wouldn't we be the first two people you would come talk to? And no one has talked to me. Yet this bill is going on the floor, which means they know they can't get to 60. There are only 51 of them. Maybe they have a few more.

My question is, has anyone approached you? Because if they authentically wanted to protect IVF, if they really cared about women and parents who are wanting to bring a child into the world and they want to give them certainty, they don't just want something to campaign on, I think we would be the first two people you would come talk to to figure out how to have a path forward. No one has spoken to me. It is so ingenuous. This body is supposed to be more than that. Has anyone spoken to you?

Mr. CRUZ. I thank Senator BRITT for that question. No, no Democrat has spoken to me.

I am, like you, unequivocally in support of IVF, but, understand, the Democrats do not want to pass legislation protecting IVF. If you are trying to pass legislation, you don't put poison pills in it. That is what the Democrats have done. Their objective, their goal, is to have their partisan bill fail so that they can use it for political campaigns across this country. It is designed to fail, and it is cynical. It is also predicated on, sadly, the failure of the media—I would note there are no reporters that I see sitting in the Gallery. It is predicated on what they know the media will refuse to cover—that they are the ones blocking IVF. They are counting on the media to be partisan and to push their deceptive messaging.

We should be protecting IVF. We should be standing unequivocally. As Senator BRITT noted, all 49 Republicans stood and signed a joint letter saying we support IVF, we support protecting IVF.

I would note, the last time Senator BRITT and I came to this floor, we were joined by Senator ROGER MARSHALL from Kansas. Senator ROGER MARSHALL is a physician—he is an OB/GYN—who has performed IVF for years. He has helped hopeful parents become parents through IVF. And it is literally the cynical position of Democrats that an IVF doctor is opposed to IVF.

I want to repeat that for you because it is such an absurd statement. It is the partisan political position of Senate Democrats that an IVF doctor—ROGER MARSHALL has helped hundreds of parents conceive through IVF, and yet Senate Democrats claim he somehow opposes IVF. That is not true. Use your common sense.

This is cynical, and it is wrong. But for those of you at home about to be subjected to millions of dollars of false campaign ads from the Democrats, just understand that if they are telling you that there are Senators who are trying to ban IVF, they are deliberately misleading you, and they are doing it because they don't want to defend their actual position on the issues.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. SCHUMER. Mr. President, by all accounts, a vote to protect something as basic and as popular as IVF shouldn't be necessary, but sadly it is very necessary thanks to attacks against reproductive care by Donald Trump and his Project 2025.

From the moment Donald Trump's MAGA Supreme Court reversed Roe, the hard right made clear that they would keep going. As we saw earlier this year in Alabama, IVF has become one of the hard right's next targets.

Today, Senate Republicans must answer a simple question: Do they support American families' access to IVF or not?

If they support it, the only option is to vote yes on the Right to IVF Act, but if Senate Republicans vote no today and block IVF protections yet again, it will be further proof they stand against the well-being of families. If Senate Republicans vote no today, it will be further proof that Project 2025 is alive and well when it comes to women's rights and reproductive rights as well.

Republicans cannot claim to care about supporting families while voting against IVF protections, but that is

precisely what they did 3 months ago. Today, Republicans get a second chance: Either stand with families struggling with infertility or stand against families and with Project 2025.

Kudos and great thanks to Senators DUCKWORTH and MURRAY and BOOKER and to everyone who has championed this bill. Thank you to all of my colleagues who have raised their voices on this most personal of issues. I urge everyone to vote yes.

MOTION TO PROCEED TO THE MOTION TO RECONSIDER

Mr. SCHUMER. Mr. President, I move to proceed to the motion to reconsider the vote by which cloture failed on the motion to invoke cloture on the motion to proceed to Calendar No. 413, S. 4445.

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

The motion was agreed to.

MOTION TO RECONSIDER CLOTURE VOTE

Mr. SCHUMER. Mr. President, I move to reconsider the vote by which cloture was not invoked on the motion to invoke cloture on the motion to proceed to Calendar No. 413, S. 4445.

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

The motion was agreed to.

CLOTURE MOTION

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 motion to proceed to Calendar No. 413, S. 4445, a bill to protect and expand nationwide access to fertility treatment, including in vitro fertilization.

Charles E. Schumer, Tammy Duckworth, Richard Blumenthal, Alex Padilla, Tammy Baldwin, Tim Kaine, Richard J. Durbin, Jeanne Shaheen, Benjamin L. Cardin, Debbie Stabenow, Patty Murray, Catherine Cortez Masto, Tina Smith, Elizabeth Warren, Sheldon Whitehouse, Kirsten E. Gillibrand, Christopher Murphy.

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 motion to proceed to Calendar No. 413, S. 4445, a bill to protect and expand nationwide access to fertility treatment, including in vitro fertilization, 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 Jersey (Mr. BOOKER) and the Senator from West Virginia (Mr. MANCHIN) are necessarily absent.

Mr. THUNE. The following Senators are neccessarily absent: the Senator from South Dakota (Mr. ROUNDS), the Senator from North Carolina (Mr. TILLIS), and the Senator from Ohio (Mr. VANCE).

Further, if present and voting: the Senator from North Carolina (Mr. TILLIS) would have voted ''nay.''

The yeas and nays resulted—yeas 51, nays 44, as follows:

[Rollcall Vote No. 242 Leg.]

YEAS—51

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

NAYS—44

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

NOT VOTING—5

Booker	Rounds	Vance
Manchin	Tillis	

The PRESIDING OFFICER (Mr. WELCH). On this vote, the yeas are 51, the nays are 44. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion on reconsideration is not agreed to.

The motion was rejected.

The PRESIDING OFFICER. The Senator from Illinois.

RIGHT TO IVF ACT

Ms. DUCKWORTH. Mr. President, I come to the floor today to speak on the bill that recently failed, despite my colleagues' assertion that they support access to in vitro fertilization for all Americans.

You know, this morning I was able to pack my daughters' lunchboxes. It sounds mundane, I know, but when I spend just a second thinking about it, even that kind of everyday moment with my girls isn't mundane at all—it is a miracle.

Because after 10 years of struggling with infertility, after being wounded in combat, I was only able to have my two darling girls through the medical marvel that is in vitro fertilization.

The only reason there are PB&Js for me to make for their lunch, the only reason there are teeny sneakers for me to Velcro closed is because after I came home from war, I had the freedom to seek the healthcare I needed to make my dream of going from ''TAMMY'' to ''mommy'' a reality.

I was one of the lucky ones, because now, that freedom to get reproductive care is at risk for millions of other women whose most desperate hope in the world is to have a little one of their own. Make no mistake, that isn't some future nightmare; this is our present reality.

Countless women already had their IVF treatments interrupted this year after an Alabama Supreme Court ruling painted women seeking fertility treatment as criminals.

And in this perilous moment for our country, as we stare down November and all the uncertainties that come with it, there is no telling how many more will follow.

Look, I doubt that Donald Trump even knows what the acronym IVF stands for, and half the time I wonder if he can even spell IVF. But despite the incoherent, delusional, and, frankly, embarrassing rambling that came out of his mouth last week, the reality is that he is the reason that IVF is at risk in the first place.

The Dobbs decision is what led us to today's nightmare, taking the power to decide how and when to start families from us women and handing it to politicians in statehouses across the country.

Donald Trump is the one who brags about taking down Roe. Donald Trump is the one who acts like that is something to be proud of. He is like a bank robber who steals cash out of the till and flees the scene and then still expects a reward for calling the police to report a crime.

So while it may now be convenient for him to claim that his support of IVF is as huge as the made-up crowd sizes at his rallies, we know the truth. He is the reason that IVF is in danger. He is to blame. He and every other Republican who cares more about staying good with Trump than about doing good for the Americans they are supposed to be serving.

Many—too many—of those Republicans are in this very Chamber. I know that because today marked the third time in the past 7 months that I have come to the floor begging my Republican colleagues to help me pass legislation I wrote that would protect every American's right to IVF, regardless of what State they live in—a bill that would ensure no doctor or hopeful mom could be criminalized for trying to start a family; one that would permit all health insurers to cover the treatments; and one that would require the Federal health insurance plan to cover reproductive technologies, allowing our troops to preserve their sperm or eggs before deploying to a combat zone.

When I tried to pass it in February, it took the junior Republican Senator from Mississippi what seemed like not even one full Mississippi second to block its passage. Then when I tried to pass it again in June, nearly every GOP Member voted it down.

Today it was the same old cynical story, as Republican after Republican voted no, no, no. And at this point, it is obvious, despite whatever talking

points they force through gritted teeth on cable news, when the rubber hits the road and the vote is called, Republicans will do anything to get out of actually passing legislation that would protect women's right to access reproductive healthcare.

Women in this country have been through enough. What women don't need is a man who was found liable for sexual abuse controlling what we can or cannot do with our bodies. What we don't need are politicians who have sworn fealty to a convicted felon treating us like we are the ones who are criminals.

It is tragic. Republicans only seem to care about protecting life when it supposedly consists of some cells in a medical lab freezer. But what about when that life is a fifth grader whose school day gets shattered by a man with an AR–15 who wants to turn their math class into a massacre?

What about when that life is their neighbor's, who is yet one more woman to bleed out on the delivery table, as the maternal mortality crisis among women of color rages on? Well, then those same Republicans couldn't seem to care less about defending the sanctity of life.

Listen, I am sure that some of my colleagues will try to slink away from taking any accountability here. Per usual, they will shout some ridiculous excuse, like this bill would allow for human-animal hybrids, as if anyone would ever believe that. And, for the record, it would not.

Well, to those folks I say that this afternoon's vote was your chance to put your vote where your mouth is. It was your chance to prove that you believe that every woman in this country deserves the chance to be called ''Mom'' without also being called a criminal. Instead, your true policy beliefs, your hypocrisy, your misogyny showed through.

Look, I went to war to defend this Nation's rights and freedoms. I did it because I believed so deeply in the importance of that mission. I wasn't asking my GOP colleagues to head into combat to show that they cared deeply too. I wasn't asking them to do anything hard at all, actually. All I was asking them to do was to simply support a bill that could have represented millions of women's only chance of starting families.

All I was asking of them was to vote in a way that reflected the position they claim to have when they were spouting talking points on FOX News. They couldn't even do that. So on behalf of every woman who has faced a heart-shattering struggle of infertility, all I can say to my Republican colleagues this afternoon is: Shame on you.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I first want to thank our colleague Senator DUCKWORTH from Illinois for her leadership. Anyone that sees the beautiful pictures of her two girls with their different personalities, both of whom would not be here without these procedures, would understand once you see those kids. As we all know people in our families, our friends, our neighbors who, literally, their families are there because of this procedure, we understand how disappointing this vote was. That is a Minnesota euphemism for what happened in just the last hour, where we only had two of our Republican colleagues—the same two who voted with us last time—who were willing to stand up for IVF.

IVF is a miracle medical treatment for families who couldn't otherwise have children. Over the last four decades, 8 million babies—8 million babies—have been born around the world thanks to IVF. Yet today we are moving backwards.

The right to IVF is under attack because 2 years ago, the Supreme Court decided to shred half a century of legal precedent and strip away women's right to make their own healthcare decisions.

Now American women are at the mercy of a patchwork of State laws, as my colleague from Illinois just described, which governs their access to reproductive care, including fertility treatment. What has happened in Minnesota now is way different than what happened in our neighboring States of South Dakota and North Dakota where, in fact, women have crossed the border to get the kind of healthcare they need instead of, as my colleague noted, what has happened in Oklahoma and other States—bleeding out in parking lots because they have no choice.

We saw it happen, of course, when it comes to IVF in Alabama. Their February Supreme Court decision brought IVF procedures in the State to a halt, leaving more than 2 million women in that State without access to this treatment.

Whatever happens legally, court cases and the like that change things, that go back and forth, it really is the same thing, all of this. All of this angst, all of this actual disastrous effect on women's rights could have been prevented. But instead, we have a group of people—which does not reflect where 70 to 80 percent of the American people are—who have decided that politicians should make these decisions about women's health; that politicians should be the ones who are going to decide about IVF or are going to decide about whether or not people can get abortions or the kind of birth control that they want or even have access to mifepristone.

I used to think that the people who were opposing us on this wanted to bring us back to the 1950s, but now it looks like it is the 1850s. The people of this country deserve better.

I am thinking of Meta, a woman from Minnesota, who became a mom thanks to IVF. In her own words:

> I am the proud mother of twin girls, but without IVF and my ability to access treatment, they would not be here today.
>
> Our twins are . . . almost 8 years old and I cannot imagine my life without them. They are incredible humans who are already bringing so much love, joy, and hope into this world.

Every parent deserves that hope. No court, no politician should interfere with that hope. But right now that hope is under attack, and today many of my colleagues chose to deny that hope to women across the country. In doing so, they are working against the will of 86 percent of Americans who believe IVF should be protected and legal.

Attacks on reproductive freedom and freedom in general is not what today should be about. I refuse to settle for a reality in which my daughter has fewer rights than I did or her grandmother did. And I will never stop fighting for a future where women—and not politicians—are in charge of their own healthcare decisions.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. BUDD. Mr. President, I ask unanimous consent to use a prop during my speech.

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

125TH ANNIVERSARY OF APPALACHIAN STATE UNIVERSITY

Mr. BUDD. Mr. President, today, I have the distinct honor of recognizing my alma mater, Appalachian State University, on the 125th anniversary of its founding.

Established in Boone, NC, as Watauga Academy in 1899, App State began as a teachers college with 53 students.

Today, it enrolls over 21,000 students, employs more than 3,500 employees, and boasts more than 150,000 living alumni who exemplify the Mountaineer spirit every day.

This strong and steady growth has established App State as a premier public institution and one of the largest in the UNC System.

Given its worldwide reputation, App State has remained true to its mission as a rural institution known for service to its local and regional communities. App State is committed to increasing enrollment of students from North Carolina's rural populations and ensuring timely graduation with as little debt as possible.

The university's regional impact is undeniable, contributing nearly $2.2 billion to our State's economy. App State continues to maintain a low student-to-faculty ratio and offers more than 150 undergraduate and 80 graduate majors at its campuses in Boone, Hickory, and online.

The university is committed to supporting the workforce needs of North Carolina as one of our State's leading producers of graduates in business, education, and healthcare.

Moreover, App State has stepped up to meet the growing needs in the areas

of veterinary technology, health sciences, and cyber security.

App State's successes reach beyond the classroom to competitive sports, with more than 400 Mountaineer student athletes in 17 NCAA Division 1 varsity sports. These student athletes earned a cumulative GPA above 3.0 for the 12th consecutive year during the spring semester of 2024.

Since joining the Sun Belt Conference in 2014, Mountaineer athletics programs have won 13 conference championships. Four of those titles belong to the nationally ranked football team—the legendary triumphs of which are known from Ann Arbor, MI, to College Station, TX.

On behalf of the citizens of the State of North Carolina, I congratulate Appalachian State University on 125 years of service to our State and our region.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

FARM BILL

Mr. BOOZMAN. Mr. President, last week, hundreds of farmers and ranchers, from all regions of our country, representing operations of all sizes and all the major crops, traveled to the Capitol to encourage us to pass a strong, farm-focused farm bill before the end of this year.

I met with many of these individuals, and I am grateful they took the time away from their families and their farms and ranches to tell us what is at stake if Congress fails to pass a farm bill this year.

For these farmers, this trip came with the additional stress of being away from the farm at the height of harvest season. Their visits clearly articulated the anxiety gripping farm country at this crucial moment.

For the past few months, farmers, ranchers, the organizations that represent them, and the agricultural banking sector have all warned of an impending crisis in farm country.

Producers are struggling to make ends meet in an environment where costs for farm inputs have ballooned from inflation; interest rates have doubled; and market prices are far below the cost production.

Coupled with consecutive years of losses, the financial stress borne—particularly by our row crop farmers—is now being revealed. The reality is, there will be fewer farmers in 2025 if Congress does not respond.

We have been warned that many farmers will struggle to secure operating loans for next year. This is a devastating realization. The outdated farm safety net they are operating under is doing nothing to address these realities. That is why the Senate needs to take two immediate actions.

First, we need to provide emergency assistance to address the economic losses that farmers are facing associated with the 2024 crop. Even with record yields, farmers are still not breaking even. This is not a crisis that they can handle, in any way insure themselves, or conserve their way out of it. Farmers across the country need a bridge to help their family farmers survive in the next year.

We have seen previous ad hoc assistance programs established in a period of weeks, as demonstrated by then-Secretary Perdue when the COVID–19 pandemic created disruptions for producers. That level of timely and urgent response by Congress and the administration is once again warranted.

In Southern States like Arkansas, in Mississippi, and Texas, many producers have harvested their 2024 crop, and many are losing hundreds of dollars per acre of ground they farm. That same experience is beginning to creep into the Midwest and Northern States as harvest begins in these regions.

What do losses of this magnitude actually translate to? Not only are producers not able to pay their bills, but they won't be able to secure an operating loan for next year's crop, let alone have any income at all to survive on. This has a devastating ripple effect on rural businesses and communities.

Now, let me be clear, emergency assistance does not reduce the need to make meaningful investments to the commodity and crop insurance titles of the next farm bill. In fact, the clear necessity of providing ad hoc assistance for economic losses demonstrates how inadequate the 2018 farm bill has become.

The next farm bill is the appropriate place to make the necessary long-term corrections to our farm safety net, but farmers need timely support addressing the 2024 losses as they enter the winter months when they make planting decisions and secure financing for the upcoming crop year, which leads me to this second action Congress must take.

We must redouble our efforts and pass a farm bill before the end of the calendar year—one that meets this moment, one that provides the support our farmers desperately need to stay in business.

I am committed to sitting down with my counterparts for as long as it takes to hash out a deal that our Members can support. I was encouraged to see House Ag Committee Ranking Member DAVID SCOTT make a similar appeal last week. I know our respective chairs are eager to pass a bill this session of Congress, but the window to make this happen is closing quickly. Our family farmers are staring down a crisis that is growing more dire by the day, and many fear that the Senate simply doesn't care about their plight.

The Presiding Officer and I both know, as the Presiding Officer is one of our stellar members on the Ag Committee, that that is far from the truth. I know that our colleagues—all of our colleagues on both sides of the aisle—want to make sure our farmers can continue to produce the safest, most affordable, and most abundant supply of food, fuel, and fiber in the world, but without action, it is an understandable sentiment. We have been sounding the alarm on this brewing crisis for months. It is the very reason we have been adamant about the need for more farm in the farm bill.

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.

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

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

UNANIMOUS CONSENT REQUEST—S. RES. 669

Mrs. BLACKBURN. Mr. President, across our country, more than 3 million female high school and college athletes compete, practice, and train every day to achieve athletic success. For many of these young women and girls, their sports are more than just a game; they are a lifelong passion that improves their physical health, boosts self-confidence, and teaches them the leadership skills to succeed on and off the field.

In short, women's athletics have done incredible things for women, which is why it is so deeply disturbing to see the Biden-Harris administration wage a war on women's sports—in their crosshairs: title IX, the landmark civil rights law that codified protections on the basis of sex by requiring equal resources for training, recruitment, and scholarships for female athletic programs.

Title IX led to an explosion of women's participation in sports. In fact, since 1972—the year title IX became law—the number of female college athletes has increased by a factor of seven while the number of female high school athletes has increased by more than tenfold. Yet, for years, we have seen this administration undermine the very title IX protections that have enabled greater women's participation in sports.

In 2022, on the 50th anniversary of title IX, the Department of Education announced new rules that forced schools to allow biological males to play on female teams; and just in April, the administration redefined ''discrimination'' to allow biological men to use women-only locker rooms and bathrooms.

Are Tennesseans and the American people really expected to believe this is OK? You do not need to be a biologist to understand that there are fundamental, biological differences between men and women, and when it comes to sports, these differences undermine fair play, erase women's hard-earned achievements, and put female athletes in danger.

Thankfully, many young women are bravely speaking out against the Biden-Harris administration's radical agenda, including Tennessee's Riley Gaines. In 2021, Riley was forced to compete against and share a locker room with a biological male during the NCAA women's swimming and diving championships. During the 200-meter

competition, Riley tied for fifth with her male competitor, but when Riley went to the awards ceremony to pick up her trophy, officials told her that they were giving the fifth place trophy to the biological male. ''Yours will be coming in the mail,'' they told her.

This should never happen in the United States. Now, more than ever, Congress should stand with the female athletes fighting for fair play and celebrate the incredible contributions women have made in the world of sports. That is why I am calling for unanimous consent for my resolution to establish October 10 as American Girls in Sports Day. Of course, we picked that date for a special reason. As the 10th day of the 10th month, October 10 is represented by the Roman numerals XX, the same numerals of the female sex chromosome.

In the last 50 years, female athletes have gone from the sidelines to the center stage of competition. As we continue to fight for women's participation in sports, we must keep in mind what is at stake, and the American Girls in Sports Day resolution will help to ensure that we all join together and celebrate our female athletes.

Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be discharged from further consideration and that the Senate now proceed to S. Res. 669; further, that the resolution be agreed to, the preamble be agreed to; and that the motions to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Connecticut.

Mr. MURPHY. Mr. President, in reserving the right to object, first of all, let me offer my thanks to the Senator from Tennessee for all the work that she has done with my colleague Senator BLUMENTHAL to protect our kids online. I am truly grateful for what they have done together, and although she and I have not worked closely together on legislation, I hope that we will be able to find partnerships to work together to further protections for our kids. I mean that sincerely. She and I may not agree on a lot—as you will hear, we don't agree on this particular resolution—but I do hope that we get the chance to work together. I mean that.

I also mean this with all due respect: Let's be clear about what this is. This isn't an effort to solve a problem. This whole obsession with transgender kids from the rightwing is just about picking on vulnerable kids so that adults can make themselves feel big—bullying and harassing kids because it makes adults feel powerful. As far as I am concerned, this whole effort is shameful.

It is important to understand that resolutions like this do not stand in isolation. It is part of a massive campaign by the right to convince Americans that they should fear immigrants, that they should fear Muslims, that they should fear gay children, that they should fear transgender athletes.

The world in which Republicans want us to live is a world where the biggest problems are not low wages or expensive healthcare or addiction or loneliness, but the threats posed to us by people who are of a different race or speak a different language or are of a different sexual orientation or gender identity. It is a massive, coordinated attempt to marginalize people who aren't White, straight, and Christian, and it exists for a reason: to distract you.

I have a ton of close Republican friends in this Chamber whom I work with a lot, but let's be honest. The Republican Party's platform today is maybe the most unpopular agenda of any major political party in recent memory: ban abortion, cut taxes for corporations and millionaires, ban books, loosen gun laws. Nobody wants any of that.

So what do you do if the things you actually want to do if you achieve power are super, super unpopular? You distract them with giant, gross lies, like immigrants are eating our pets, or greatly exaggerated untruths, like our high school sports are under assault from transgender kids.

It is all an effort to hide the ball from the real agenda—abortion bans and millionaire tax cuts—by trying to make you believe that you should spend your entire day, that you should spend your entire life, just being afraid of people who are different from you.

Let me give you the facts, not the fearmongering, about high school transgender athletes, and I will let you decide whether this situation is worthy of hundreds of bills having been introduced by Republicans all across the country and whether it is worthy of debate continuously, over and over again, on the Senate floor.

There are over 6 million kids competing in high school sports today. For the problem of transgender girls competing in girls sports to be a national crisis, what percentage of that 6 million would be transgender girls? Ten percent? Is that a crisis? Five percent? One percent? It is none of those.

Let's take Florida as an example. More than 800,000 students in Florida participate in high school athletics. Before they enacted their ban, how many transgender athletes were in Florida of those 800,000 students? One hundred? Nope. Fifty? Nope. Over the course of 8 years in the entire State of Florida, before their ban, there were 13 transgender high school athletes—13. Those 13 girls were apparently waging a war against girls sports. That is a pretty small army to be waging a war.

You are more likely to be killed by a falling object in this country than to have your daughter compete against a transgender girl in high school sports, but what if she did? I think every State and every school district should decide these questions for themselves. I don't think the Federal Government should get involved. But as a parent, personally, I celebrate those few transgender kids, who often spend their entire adolescence being shamed or marginalized by the kind of small people who push resolutions like this—I celebrate the fact that they get the experience of the comradery and the happiness that come with being part of a sports team. I think that is great. I don't think that is a threat to my kids. I don't think that is a threat to my community or the Nation.

I teach my kids to love everybody, to include everybody, to see people who are different from them—who are a different race, a different religion, even a different gender identity—as potential friends, not as enemies, waging war against them, to be shamed or bullied.

This is an absurd resolution. It is designed to distract Americans from Republicans' real agenda. It is designed to build a culture of fear and mistrust, a culture that I and, I am going to tell you, most Americans reject.

Therefore, I object.

The PRESIDING OFFICER. The objection is heard.

The Senator from Tennessee.

Mrs. BLACKBURN. Mr. President, I would encourage my colleague to go read the Republican Party platform. It is very short, as a matter of fact. There is nothing in it about banning anything, believe you me. I know that. So I would encourage him to take the 15 or 20 minutes. It is not a long, lengthy document. It has 20 actions that we are going to take, and then it has some principles on which we stand and believe.

I also find it very interesting that he looks at a resolution that would celebrate women as something that should be feared, because it is not about fear. It is not about division. It is not about distraction. This is something that says to our young girls and these young athletes: We are proud of you. Keep it up.

I mean, here is some of the language from the resolution:

> Athletic participation has an important, positive impact on young girls, improving their physical health, self-confidence, and discipline. . . . Women have been responsible for some of the greatest athletic feats in the sports history of the United States, from the Olympic games—

And we all cheered our young women who excelled and won those medals and those who were in competition in the Olympics—

> [all the way] to professional competition. . . . [F]emale athletes have served as inspirations for generations of women and girls.

In Tennessee, I will tell you, there are young girls probably out in the driveway bouncing a basketball right now. They want to be a Lady Vol. That is one of their goals in life.

As for the number of titles and things that have been lost since 2003, biological men have displaced women and girls from over 950 championship titles, medals, scholarships, and

records that should have rightfully gone to these girls and at least 28 women sports titles in volleyball, swimming, mountain biking, track and field, weightlifting, and cycling.

This is a celebration of female accomplishments. This is a celebration of female accomplishments.

So while I enjoy the opportunity to work with my colleague, I am disappointed to hear him feel and express his opinion that celebrating women and giving a day to celebrate our female athletes would be something that would strike fear and would cause division. We should all be united around celebrating our female athletes.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

RIGHT TO IVF ACT

Mrs. MURRAY. Mr. President, today we once again attempted to move forward on the Right to IVF Act, and Republicans once again stopped us.

Now, let's remember a few things about how we actually got here, because it is infuriating. Republicans have tried to claim the right to IVF is not under attack, but it was Republicans' own votes that killed this bill, and it was the Republicans' own efforts to overturn Roe v. Wade and champion fetal personhood—which treats an embryo like a living, breathing, person—that caused the chaos and uncertainty around IVF access. That caused women in Alabama to have IVF appointments canceled earlier this year, jeopardizing women's hopes of growing their families and lighting on fire the thousands of dollars some of these patients spent ahead of treatment.

And despite that hard lesson, to this day, there is still widespread Republican support for fetal personhood bills. To this day, in Republicans' own bills to supposedly protect IVF, they say nothing about fetal personhood and do nothing to make sure parents can dispose of unused embryos.

Now, Democrats came forward with a bill that would actually protect IVF. Our bill, the Right to IVF Act, protects the right to IVF nationally, and it lowers the cost of IVF for families with stronger insurance requirements. It also includes my bill to make sure more veterans and servicemembers can access IVF services.

And many of the same Republicans who have supported fetal personhood laws—the single greatest threat to IVF—are pretending this bill is unnecessary. Many of the same Republicans who are desperate to posture as pro-family and who constantly say they stand by our troops are saying: We can't afford to help more military families get IVF.

Funny how they are always game to shovel more money at tax breaks for billionaires, though. But I digress.

Mr. President, Republicans voted this bill down—again. They voted down protecting IVF—again. They voted down making IVF more affordable—again. They voted down helping servicemembers and veterans grow their families—again. And they did it fresh off another round of pretending to support IVF. They did it just as Donald Trump, the man who kicked all of this off, the man who proudly boasted that he ended Roe, is trying to say he is the leader on IVF.

When Donald Trump says he is the leader on IVF, hear me on two things: First, he almost certainly doesn't understand what IVF is. Secondly, he doesn't understand what leadership is. You do not get credit for opposing a problem that you caused in the first place, especially when your party—the party you lead—won't let us solve it.

The entire country just saw, plain as day, that Donald Trump is lying again and that nothing has changed for Republicans since they overturned Roe v. Wade. Nothing has changed for Republicans since the absolute heartbreaking chaos their extremism caused in Alabama. Nothing has changed for Republicans despite Trump's imaginary leadership on IVF and despite all the families who are calling for action.

But Democrats are not going to stop pushing. And I have a message for my Republican colleagues who think they can talk about this issue, make big promises to desperate families—like Trump's promise to cover IVF treatment—and then fail to follow through. I would urge them to think again and tread lightly, because that promise may just be an empty sound bite to Donald Trump, but it is so personal to these families. It is personal to women who have been trying for years to start a family with no luck, women who, month after month, get their hopes up and face another heartbreak.

The last thing these families need is a broken promise. The last thing their heart can bear is false hope. So don't you dare breathe another word about helping them get IVF when you are not willing to put up the votes and make it happen. Don't you dare talk about protecting their chance to grow their family when you are not willing to stand clear and strong against fetal personhood laws.

Don't you dare raise your voice in more fake support when you won't lift a finger to actually help, because these families have been listening to your words. They saw how you voted today. And, Mr. President, they will not forget.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. SCHATZ. Mr. President, here in this Chamber, it is your vote that counts—not your tweets, not your public statements, not your TV interviews. Your votes. And today for the second time in 3 months, Republicans voted against protecting IVF. Some of them claim to support IVF. All of them profess to be pro-life. But given a chance to be both, they failed.

Republicans are doing a lot of mental gymnastics to try to justify their cruel extremism on this issue. But let's be very clear about what the Right to IVF Act does. It protects every American's right to access IVF and lower the cost of treatments for families who need it. That means anyone struggling to start or to grow a family can undergo IVF without fear of interference or punishment by the government.

And think about the fact that we have to make a law that says families should not be punished for trying to start a family. That is what this bill does. It says you should have access to this care and you cannot be punished for trying to start a family. It means providers can administer the treatment without worrying that they will be thrown in jail or have their license taken away just for doing their jobs. And it means insurers can cover IVF without implementing absurd restrictions and onerous requirements that would make it all but impossible to access this miraculous treatment.

This bill is a commonsense measure that is necessary precisely because of the environment Republicans created with the fall of Roe, an environment where over half of women of reproductive age in America now live in States that are hostile to abortion rights. And let's be clear, Republicans did that through their vessel of the U.S. Supreme Court.

And so they can pretend to be for IVF but vote against the bill that would actually protect it for good. They can pretend to be for life while also trying to restrict access to a miraculous treatment that creates life. They can pretend to have their own bill to support IVF when, in fact, that bill literally does the opposite. It literally does the opposite because here, it is your vote that counts. It is not your rhetoric. It is not your statement. It is not even your explanation. They voted no against IVF. And shame on them.

I yield the floor.

The PRESIDING OFFICER (Mr. HELMY). The Senator from Washington.

Ms. CANTWELL. I rise to join my colleagues and want to thank my colleague, Senator MURRAY, for her leadership on this important issue over many, many years.

I join my colleagues to say it is time to put partisan politics aside and stay out of family planning issues and leave that up to families in America.

My colleagues on the other side of the aisle had an opportunity today to believe that women deserve the chance to start a family through IVF, the miracle for people who have been struggling with fertility challenges.

In 2022, more than 2,000 new babies were born in the State of Washington thanks to IVF. This is something we would like to see every year. But as the Court has struck down important issues and States have gone on various efforts to try to restrict women's access to healthcare and full reproductive care, IVF has even been questioned.

Practically everyone knows someone who overcame the challenge desperate to have a pregnancy and the sadness of

infertility. And that is probably why 86 percent of Americans say that IVF should be legal.

This afternoon, we voted on that right, the Right to IVF Act. That is what we were voting on, a straightforward vote. One of those that would just show the American people, the mainstream of America, that we agree with them. That is all we were trying to do, as people have punted around this very important right that now, because of actions by individual States, no longer seems to be guaranteed.

Yet we all here could have cast a vote saying we wanted to protect it in voting for this act. It was an opportunity for us to ask our colleagues who previously voted against this measure to say that they actually agreed this time on IVF; to show that they mean what they say, not some version of a bill that basically curtails and makes it impossible for somebody to run an IVF organization.

We have no time for that—no time for that. My colleagues' voting history shows that if you didn't support IVF before and you didn't support it today, I am not sure what it is you think you support.

Democrats are trying to guarantee the access, and Republicans are blocking us. Democrats tried to guarantee the right to contraception, which 81 percent of Americans say should be protected, and Republicans blocked us.

We tried to pass a law saying you can't put a woman in jail for trying to leave her State just to get abortion care, and that was blocked. And we tried to pass a law saying that you can't put a healthcare worker in jail for performing abortions in their State where the procedure is legal. Republicans blocked that, too. And today another block of just something very basic—the Right to IVF Act.

So reproductive freedoms of all sorts and family planning is under attack. We had a chance to speak as one voice and to talk about fertility treatments in the United States of America. Instead, families will continue to wonder whether IVF is going to be available in the United States of America. Americans should have the access to these reproductive rights. Americans should have the freedom to decide for themselves when and how to have children. And they should have the freedom to use IVF for their families and to plan to start a family.

This summer, I released a healthcare report, along with my colleagues, that talked about people who lived in red States where they were forcing people to travel to other States just to get healthcare. It was so sad and scary to find out that, basically, almost weekly, someone from Idaho was walking into a facility with a pregnancy complexity, only to be told: I am not going to see you. And then have them flown to a facility in Seattle. What kind of hardship are you putting on people?

Then, with great sadness, I read this article that came out late last night about the death of a young woman from Georgia ''who died after waiting 20 hours for a hospital to treat her complications from an abortion pill shows the consequences of [the actions that we passed] Donald Trump's actions.''

This is what we are doing to America. We are leaving reproductive choice up in the air. We are making women travel all over just to get care. And now we are telling Americans we don't even know if we believe in IVF. This nonsense has to stop. This is about families planning. This is about families planning for their future. It is not about politicians putting hardships on patients seeking healthcare and then turning them away and affecting their lives. And in this case, the tragedy of this young woman.

I thank my colleague, Senator MURRAY, for helping organize us. I ask our colleagues: We can do better than this. They need to do better than this for the American people.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Ms. HIRONO. Mr. President, I want to thank Senator MURRAY for her leadership on reproductive freedom issues and my colleagues talking today about the IVF bill we just voted on.

Once again, today, our Republican colleagues have shown us where their priorities truly lie. Despite insisting time and again how much they support the right to in vitro fertilization, or IVF, they just voted again, nearly unanimously, to block a bill providing that very right.

For decades, IVF and other assisted reproductive technologies, or ART, have helped people who otherwise couldn't start families of their own. While some on the right like to depict IVF as some sort of new or untested technology, that is not so. The first baby delivered via IVF was more than 45 years ago. And since then, IVF have helped bring more than 10 million babies into this world.

In fact, as a State representative in Hawaii in the eighties, I led the passage of a bill making Hawaii one of the first States in the Nation to require health insurers to cover IVF treatment.

Earlier this year, I met Dr. Lori Kamemoto, an OB–GYN in Hawaii who, decades ago, helped deliver the first baby born in Hawaii via IVF.

But now, thanks to the chaos created by Dobbs, a whole range of reproductive rights, including the right to IVF, are on the chopping block. Look at Alabama where the State Supreme Court invoked a ''fetal personhood'' law to call into question the legality of IVF, effectively halting IVF treatment in that State.

Despite the fact that more than 85 percent of Americans support IVF, Republicans here in the Senate have now, on several occasions, blocked our attempts to pass a bill to protect IVF treatments. Apparently, Republicans' obsessions with power and control over women's bodies and our lives knows no bounds.

Republicans insist that they support IVF but refuse to protect access to IVF. They insist access to contraception is safe and they support it, but when given the chance, refuse to codify that support into law.

Frankly, can anyone take Republicans at their word when they say they won't enact a nationwide abortion ban if given the opportunity? We can't. They have shown us who they are and just how wildly out of step they are with the American people.

As Republicans continue on their anti-freedom, anti-women crusade, Democrats will continue fighting to protect the right to IVF as we work to ensure people can make decisions about their bodies, their lives, and their futures free from government intrusion.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, actions speak louder than words. Actions always speak louder than words. For all their words, our Republican colleagues have acted today in a way that will speak for years and longer.

It will speak to Lisa, a constituent of mine in Connecticut. I ask my Republican colleagues to listen to Lisa and what she shared with me after the Alabama Supreme Court ruling and before she and her husband became parents to a healthy, happy baby girl as a result of IVF. She said:

> If a woman is willing to go through the physical, emotional, and financial toll of IVF treatment to bring a new life into the world, you had better believe she is going to love that baby more than anything one can imagine. And we need more love like that in the world.

For Lisa, that Alabama Supreme Court ruling banning IVF treatment was ''heartbreaking and infuriating.'' Families like Lisa's wouldn't exist if it weren't for IVF.

I ask my Republican colleagues to listen to Kim and Tina, who were married in 2013 and immediately knew they wanted to start a family in Connecticut. As a gay couple, they needed to rely on reproductive technology, and they were forced to meet standards that their straight friends never encountered. And IVF worked for them. They are now proud parents to twins whom they call ''the greatest gifts of our lives.'' Interested in politics and government, trumpets and sailing, they are gifts to their community, their friends, and their school.

Listening to parents who have gone through the heartbreak and pain of infertility and who have found this miracle of IVF—it is not limited to Kim and Tina and Lisa; it is all of America who knows these stories in their own lives. Every American knows a couple that has tried year after year, and finally, if they are really lucky and can afford it, discovers the miracle of IVF.

Very simply, every one of those families, every American ought to have access to that miracle of life. Yet our Republican colleagues, even though their own constituents would tell them, if they were listening, about the reasons why IVF should be protected, have acted today, despite their words and their rhetoric, to block IVF protection.

This scientific miracle is so immensely important, it ought to be nonpolitical, nonpartisan, noncontroversial. There ought to be unanimity.

And this vote is the second one. I believe in second chances. If we had wanted to be strictly political about this bill, we could have said: Well, no second chance here; we are going to take you on that first vote, because that would be the one politically advantageous. We gave them a second chance to get right on IVF, and they refused.

I am angry. I am disgusted. Most important, I am sad because this vote was an opportunity to tell American families: We are with you. We stand with you. We know how physically painful IVF is. We know how emotionally painful infertility can be. We know how great families want to build greater families with children who will serve our country, make it greater.

The callousness and cowardice of our Republican colleagues speak louder than words, and this vote will haunt them. It will haunt at the very least their consciences—or it should.

We have the courage to stand with the American families who need and deserve IVF.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, first, I am so grateful to be here with colleagues who care deeply about protecting our reproductive freedoms and supporting families all across America. I want to thank Senator PATTY MURRAY, who has been our leader on this for many years.

It is just incredible to me that in 2024, we are standing here even having to talk about this. It is really incredible.

I just want to take us back to it because this Congress, Republicans have had 16 chances to protect reproductive freedom—over 16 chances—and every time, they have voted no. So today, once again, they block a bill to protect access to IVF for thousands of American families.

Now, we had this vote before, and then the former President said he changed his mind and he wanted to make IVF free and he wanted to force insurance companies to cover IVF. I thought, well, that is great. Let's come together in a bipartisan way to be able to move forward and protect this really important part of reproductive freedom. So we bring the bill up again.

Now, I assume that the former President was on the phone all last night calling our colleagues, calling all of our Republican colleagues—I mean, like he did for his effort to block and kill the bipartisan border security bill. When he wanted to make sure that didn't go forward and he had an issue to run on, he was burning up the phones.

Well, given what he said to the American people about his now support for IVF, I assume he was burning up the phones last night. Well, if he was, it wasn't very effective. And, Mr. President, we know he wasn't. We know, when he really wants something, what he does. When he really wants something, he is calling the Speaker of the House to say: Don't support a bipartisan bill to continue the government; shut it down.

But I bet there wasn't one phone call made last night to support this effort to protect a woman's reproductive freedom and the freedom of families to grow their families.

Since the fall of Roe, Republicans have continued their assault on reproductive freedom: IVF; questions about birth control; of course, abortion access; and then a whole range of privacy questions for women in terms of what happens during their pregnancies.

We know that IVF is about allowing the freedom to have children. If you struggle with infertility, it gives you a way, an effective way, to start or grow a family. It has helped thousands of Americans, thousands of American children, including my friend Ellen, who now has a beautiful little boy, Carter. He just had his first birthday party not long ago. I mean, how could you not love that face? Carter is incredible, and we are all so excited for Ellen and for Carter. That is the miracle of IVF.

IVF has also helped Brittany from Holly, MI, start her family. After being diagnosed with PCOS at 16, she experienced fertility issues when she was ready to start a family. After 3 years, six rounds of fertility treatments, countless tests, and two rounds of IVF, she gave birth to her beautiful baby girl, Eloisa, who is now 11 months old. What a blessing.

Despite the strain this journey put on her relationships, Brittany told me that every penny was worth it. ''Every penny was worth it for our daughter. IVF has made our family complete.''

She is not the only Michigander who has been able to start a family because of IVF. When her husband was serving our country in the U.S. Navy, Sue from Brighton, MI, used IVF to bring her son into the world. At the time, she was an elementary school teacher, and her husband was deployed for months at a time. Her entire salary went towards the seven rounds of IVF that were needed to have a successful pregnancy. With insurance only paying for some of the medication, she spent over $100,000 out of pocket on treatment to be able to have that baby. This journey put an emotional and financial strain on Sue and her husband, and that is surely not surprising, and this situation is not unique.

Our veterans and servicemembers sacrifice so much for our country. They shouldn't have to sacrifice their ability to start or grow a family because these treatments aren't covered and politicians tell them they don't have that choice.

Families shouldn't have to choose between going into debt to cover the enormous cost of treatment and having a baby just because it is not covered by insurance.

That is why voting for the Right to IVF Act was a no-brainer for me. We need to protect this freedom, access to this opportunity for families. We need to expand and protect fertility treatments for our servicemembers and our veterans and cover adoption assistance. We need to cover and lower the cost of IVF treatments for all. We need to make sure women have the freedom to make our own reproductive decisions, not rightwing politicians, not judges.

When I hear the former President say that this was all about sending the decision back to the States rather than the Federal Government—no. This is about having individual women and their families make a decision. It doesn't matter if it is a Federal politician or a State politician; the point is, there should be no politician. It should be the woman and her family making those decisions, the woman herself making that decision about what will happen for her.

So that is what we are fighting for, and we are not going to stop fighting for that. In America, we had that freedom for over 50 years, and it got ripped away by Donald Trump and the appointments he made to the U.S. Supreme Court. Now it has just unleashed all kinds of harm, all kinds of damage for women, and death, because of the fact that some folks think they can control women's lives.

I am incredibly disappointed that our Republican colleagues did not join us today in protecting this important freedom.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. DURBIN. Mr. President, I move to proceed to executive session to consider Calendar No. 700.

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 bill clerk read the nomination of Rose E. Jenkins, of the District of Columbia, to be a Judge of the United States Tax Court for a term of fifteen years.

CLOTURE MOTION

Mr. DURBIN. 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 bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 700, Rose E. Jenkins, of the District of Columbia, to be a Judge of the United States Tax Court for a term of fifteen years.

Ron Wyden, Alex Padilla, Debbie Stabenow, Catherine Cortez Masto, Mark Kelly, Jack Reed, Tim Kaine, John W. Hickenlooper, Christopher Murphy, Robert P. Casey, Jr., Richard Blumenthal, Benjamin L. Cardin, Christopher A. Coons, Margaret Wood Hassan, Chris Van Hollen, Tammy Baldwin, Tina Smith.

Mr. DURBIN. I ask unanimous consent that the mandatory quorum call for the cloture motion filed today, September 17, be waived.

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

EXECUTIVE CALENDAR

Mr. DURBIN. Mr. President, on behalf of the majority leader, I ask the Chair to execute the order from yesterday with respect to the confirmation vote on the Costello nomination.

NOMINATION OF MARY KAY COSTELLO

Mr. DURBIN. Mr. President, today the Senate will vote to confirm Mary Kay Costello to the U.S. District Court for the Eastern District of Pennsylvania.

From 1986 to 1994, Ms. Costello served as a staff sergeant in the U.S. Air Force. She then earned her B.A. from Temple University and her J.D. from Temple University Beasley School of Law.

After completing law school, she began her legal career in private practice as a litigation associate with Saul Ewing LLP, then moved to Akin Gump Strauss Hauer & Feld in 2004. While in private practice, she handled a range of commercial litigation matters.

Since 2008, Ms. Costello has served as an assistant U.S. attorney in the criminal division of the U.S. Attorney's Office for the Eastern District of Pennsylvania. She is currently assigned to the public corruption and civil rights unit, and she previously served in the healthcare fraud and government fraud unit and the consumer and commercial fraud unit. She has prosecuted criminal cases involving bribery, drug diversion schemes, and schemes to defraud the government, including successful prosecutions in several illegal drug distribution cases involving ''pill mills.''

Over the course of her legal career, Ms. Costello has tried 11 cases to verdict, all of which were before a jury.

Ms. Costello has the strong support of both of her home State Senators, Mr. CASEY and Mr. FETTERMAN, and the American Bar Association unanimously rated her as ''well qualified.''

Ms. Costello is a highly accomplished litigator whose breadth of experience and dedication to service make her an outstanding nominee to the Eastern District of Pennsylvania. I urge my colleagues to join me in supporting her nomination.

VOTE ON COSTELLO NOMINATION

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the Costello 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 clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER), the Senator from West Virginia (Mr. MANCHIN), and the Senator from Oregon (Mr. WYDEN), are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Arkansas (Mr. COTTON), the Senator from South Dakota (Mr. ROUNDS), the Senator from North Carolina (Mr. TILLIS), and the Senator from Ohio (Mr. VANCE).

Further, if present and voting: the Senator from North Carolina (Mr. TILLIS) would have voted ''yea.''

The result was announced—yeas 52, nays 41, as follows:

[Rollcall Vote No. 243 Ex.]

YEAS—52

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

NAYS—41

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

NOT VOTING—7

Booker	Rounds	Wyden
Cotton	Tillis	
Manchin	Vance	

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.

The Senator from Texas.

SOUTHERN BORDER TRANSPARENCY ACT OF 2023

Mr. CORNYN. Mr. President, the Biden-Harris apparent strategy for handling the massive influx of migrants on the southern border has been to funnel them into allegedly temporary parole programs and act like the Biden-Harris border crisis has been resolved. Far from it.

There is little public data on the number of people who have actually been released into the United States under these programs, whether they are making asylum claims, or whether their claims were being evaluated in any way before they are being released, or whether they ever leave the country or remain indefinitely.

The administration has gone to great lengths to hide the ball when it comes to levels of illegal immigration. But the American people deserve to know exactly how many migrants are being released into the country and exactly on what terms.

That is why I led the Southern Border Transparency Act, which would shine a bright light on the catch-and-release policies of the administration by requiring the Department of Homeland Security to fully report on how it handles migrants encountered at the southern border.

This is the most basic of transparency measures—just the facts, that is all we are looking for. And anyone who supports securing the southern border can support this legislation.

I appreciate Senator GRASSLEY's leadership on this issue, and I hope the Senate can advance this bill today.

Mr. President, as if in legislative session, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of S. 3187 and that the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 3187) to require the Department of Homeland Security to publish various publications and reports regarding the number of aliens seeking entry along the southern border of the United States.

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

Mr. CORNYN. I ask unanimous consent 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 ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The bill (S. 3187) was ordered to be engrossed for a third reading, was read the third time, and passed as follows:

S. 3187

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 ''Southern Border Transparency Act of 2023''.

SEC. 2. MONTHLY PUBLICATION OF PAROLE AT PORTS OF ENTRY.

Not later than 30 days after the date of the enactment of this Act, and monthly thereafter, the Commissioner of U.S. Customs and Border Protection shall publish on the U.S. Customs and Border Protection website, with respect to the applicable reporting period—

(1) the number of aliens granted parole under section 212(d)(5) of the Immigration and Nationality Act (8 U.S.C. 1182(d)(5)) at each United States port of entry;

(2) the number of aliens encountered between land ports of entry who were subsequently granted parole, disaggregated by the U.S. Border Patrol sector;

(3) the citizenship or nationality of the aliens described in paragraphs (1) and (2); and

(4) the demographic category of the aliens described in paragraphs (1) and (2), including—

(A) accompanied minors;

(B) aliens granted parole as part of a family unit;

(C) single adults; and

(D) unaccompanied alien children.

SEC. 3. QUARTERLY REPORT ON PROCESSING ALIENS AT SOUTHERN BORDER PORTS OF ENTRY.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, and quarterly thereafter, the Secretary of Homeland Security shall—

(1) submit a report containing the information described in subsection (b) to—

(A) the Committee on the Judiciary of the Senate;

(B) the Committee on Homeland Security and Governmental Affairs of the Senate;

(C) the Committee on the Judiciary of the House of Representatives; and

(D) the Committee on Homeland Security of the House of Representatives; and

(2) post such report on the Department of Homeland Security website.

(b) CONTENTS.—The report required under subsection (a) shall include, with respect to the applicable reporting period—

(1) the number of aliens apprehended or otherwise encountered—

(A) at each port of entry along the southern border of the United States; and

(B) within each U.S. Border Patrol sector along the southern border of the United States;

(2) the number of aliens described in paragraph (1), disaggregated by—

(A) citizenship or nationality;

(B) demographic categories, including accompanied minors, aliens granted parole as part of a family unit, single adults, and unaccompanied alien children;

(C) those who were granted voluntary departure;

(D) those who were placed into expedited removal proceedings; and

(E) those who entered into a process or outcome not described in subparagraph (C) or (D), including a description of such process or outcome;

(3) the number of aliens described in paragraph (2)(D), disaggregated by the number of such aliens who received a credible fear screening interview pursuant to section 235(b)(1)(B) of the Immigration and Nationality Act (8 U.S.C. 1225(b)(1)(B)) or a reasonable fear screening interview;

(4) the number of aliens described in paragraph (3), disaggregated by—

(A) the number of aliens determined to have a credible fear of persecution or a reasonable fear of persecution; and

(B) the number of aliens determined not to have a credible fear of persecution or a reasonable fear of persecution;

(5) the number of aliens described in paragraph (4)(A), disaggregated by the number of aliens detained pursuant to section 235(b)(1)(B)(iii)(IV) of the Immigration and Nationality Act (8 U.S.C. 1225(b)(1)(B)(iii)(IV));

(6) the number of aliens described in paragraph (4)(B), disaggregated by—

(A) those who were removed from the United States;

(B) those who were detained pending removal; and

(C) those who are not described in subparagraph (A) or (B); and

(7) a description of any actions taken against the aliens described in paragraph (6)(C).

SEC. 4. QUARTERLY REPORT ON PAROLE REQUESTS PROCESSED BY U.S. CITIZENSHIP AND IMMIGRATION SERVICES.

Not later than 30 days after the date of the enactment of this Act, and quarterly thereafter, the Director of U.S. Citizenship and Immigration Services shall publish, on the U.S. Citizenship and Immigrations Services website—

(1) the number of petitions for parole submitted to U.S. Citizenship and Immigration Services pursuant to section 212(d)(5) of the Immigration and Nationality Act (8 U.S.C. 1182(d)(5)); and

(2) the number of such petitions that were granted by U.S. Citizenship and Immigration Services, disaggregated by the nationality of the petitioner.

SEC. 5. ANNUAL REPORT ON ALIENS PAROLED INTO THE UNITED STATES.

Section 602(b) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1182 note) is amended to read as follows:

''(b) ANNUAL REPORT TO CONGRESS.—

''(1) IN GENERAL.—Not later than 90 days after the end of each fiscal year, the Secretary of Homeland Security shall submit a report to the Committee on the Judiciary of the Senate, the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on the Judiciary of the House of Representatives, and the Committee on Homeland Security of the House of Representatives that identifies the number of aliens paroled into the United States pursuant to section 212(d)(5) of the Immigration and Nationality Act (8 U.S.C. 1182(d)(5)), disaggregated by those who are—

''(A) of a particular nationality;

''(B) single adults;

''(C) traveling in a family group;

''(D) children accompanied by an adult family member; or

''(E) unaccompanied alien minors.

''(2) CONTENTS.—Each report required under paragraph (1) shall include—

''(A) the total number of aliens paroled into the United States during the fiscal year immediately preceding the fiscal year in which such report is submitted, disaggregated by—

''(i) citizenship or nationality; and

''(ii) demographic categories, including accompanied minors, aliens granted parole as part of a family unit, single adults, and unaccompanied alien children;

''(B) for each fiscal year for which the Department of Homeland Security reports the information described in subparagraph (A) regarding aliens described in such subparagraph—

''(i) the number of such aliens who were granted employment authorization;

''(ii) the number of aliens described in clause (i) who had valid employment authorization at the end of the previous fiscal year;

''(iii) the number of such aliens whose parole has not ended, including those who exited the United States during the previous fiscal year;

''(iv) the number of such aliens whose status was adjusted, disaggregated by status type;

''(v) the number of such aliens for whom parole was extended, including those who exited the United States;

''(vi) the number of such aliens for whom the duration of parole expired, including those who exited the United States; and

''(vii) the number of aliens who returned to Department of Homeland Security custody from which they were paroled, disaggregated by the categories listed in subparagraphs (A) through (E) of paragraph (1).''.

EXECUTIVE CALENDAR—Continued

The ACTING PRESIDENT pro tempore. The Senator from Iowa.

UNANIMOUS CONSENT REQUESTS

Mr. GRASSLEY. Mr. President, in the Biden-Harris America, children disappear every day. You won't see their faces on any milk cartons. Search parties aren't sent for them, and the AMBER alert almost never sounds.

According to the Justice Department's filings, some of these children reappear years later in emergency departments with injuries from physical or sexual abuse. Others resurface as underaged laborers working jobs that most adults won't even take, and many are never heard from again.

These forgotten children are overlooked because they are unaccompanied migrant children. These are the children who crossed into the United States without their families—without their moms or dads.

By February 2023, the New York Times reported the Biden-Harris administration could not reach 85,000 of the unaccompanied migrant children that had entered the United States since 2021.

Then, in August of 2024, the Department of Homeland Security Office of Inspector General found the government failed to enroll 291,000 of these children in immigration proceedings over the last 5 years. Of those that were enrolled, 32,000 never showed up to the court. Many of them are missing.

Government employees working directly with these kids began to sound the alarm. The Biden-Harris administration responded by quietly, very quietly, suppressing attempts to save these missing children in order to avoid a politically inconvenient narrative. And the very same Democrats and members of the media who had actually decried Trump-era immigration policies stayed silent. The media didn't do their job of properly pointing out wrongs, except when you have a Republican President.

At least one whistleblower was actually walked offsite at a shelter for

these children for reporting that children were in danger to law enforcement. Other whistleblowers told my office they were denied access to records that might have raised concerns about children being trafficked.

The most consistent whistleblower complaint that I received was that law enforcement was not given the information needed to save missing children.

Desperate to find these kids, at least one Homeland Security agent asked a whistleblower to establish information-sharing channels on imperiled children because there was no formal channel in place for this information to be shared.

Now, we all know that denying law enforcement access to this lifesaving information was part of the Biden-Harris immigration plan. Three months into their term, the Biden-Harris administration tore up information sharing, an agreement between Homeland Security Investigations and the officials responsible for running the Unaccompanied Children Program.

They replaced that agreement with a watered-down agreement that deleted provisions requiring sponsors to be vetted and run through certain law enforcement checks before receiving custody of a child.

Today, law enforcement has significantly less involvement in vetting sponsors, even if the sponsor is a complete stranger to the child. Now, this is not family reunification, as the Biden administration wants the entire country to believe.

According to government statistics, between October 2021 and September 2022, over 18,000 children were given to distant relatives or unrelated adults.

Now, turning over custody of a child is one of the most consequential actions a caseworker can ever take. From there on out, every decision made for the child belongs to the sponsor—financial, housing, medical, you name it, the sponsor is in control of their decisions.

I can't imagine having every decision critical to my survival turned over to a complete stranger who the government hasn't even fully vetted, but child safety wasn't this administration's priority.

Now, thanks to whistleblowers, we have been provided records and disclosures that were so bad I had to refer the information to law enforcement way back in January to try and rescue kids. But given the poor vetting, it is much harder to find those same kids.

As illegal border crossings surged, pressure mounted from the top of the bureaucracy to process kids faster, to avoid accusations of ''kids in cages.'' During a conference call, Secretary Becerra of HHS admonished his employees that they weren't moving kids out to sponsors fast enough.

That is the environment that I am talking about—getting things done quickly so you can't be politically criticized like Trump was criticized.

Secretary Becerra said:

> This is not the way you do an assembly line.

Program operators knew this politically motivated rush could have dangerous consequences, but they proceeded anyway. One official said the quiet part out loud to a whistleblower trying to intervene to protect endangered kids. She was told:

> We only get sued if we keep kids in care [of the government] too long. We don't get sued by traffickers.

Now, can you believe that approach to protecting kids? The Biden administration has published wave after wave of field guidance meant to push kids to sponsors faster and cover up the consequences of this haste.

They removed fingerprint requirements for sponsors claiming to be parents or legal guardians, even without sufficient verification; simply this, just ''I am who I say I am.''

They released kids to sponsors before background checks had been completed. They denied law enforcement access to photographs of children.

Now, during a Senate Finance hearing, Senator CORNYN asked Secretary Becerra who the Biden-Harris administration believes is responsible for making sure that these children aren't being trafficked. Secretary Becerra said it is ''the communities where they enter,'' so just some community, anyplace in the United States, to be responsible, to make sure that these children are treated and not being trafficked.

I am not sure if the Biden-Harris administration ever stopped to wonder how local law enforcement looks after a child when this administration won't even give them a photograph of an endangered child.

I am told that law enforcement can't.

What resulted from this administration's disastrous policies almost inevitably was the systematic abuse and disappearance of migrant children. Whistleblowers fought in vain to prevent children from going to men who sexualized them, MS–13 gang-affiliated sponsors, and also sponsors who were mass applying for kids. We had an example where one address someplace, some city in this country, was used to get massive numbers of kids under that address. Just hearing that ought to scare anyone.

One whistleblower told my office they called a sponsor, only to hear a child's agonizing screams before the line then was quickly disconnected. Whistleblowers testified on all this in heartbreaking detail at an oversight roundtable that I led on this topic just this year in July.

I have lost count of the number of reports and letters sent by Congress to the unaccompanied migrant children's program actually sounding alarms that have gone unheeded, even ignored. Each highlighted program vulnerabilities, and there are plenty of those vulnerabilities. Each made recommendations that could have saved lives.

Now, I have been involved in this in a bipartisan way for a long period of time. My decade of bipartisan oversight has revealed an unaccompanied migrant children program in which abuse and misconduct have become routine and tolerated.

For example, in 2021, Oregon Democratic Senator WYDEN and I warned of the rampant sexual abuse of unaccompanied migrant children in the care of contractors, especially Southwest Key. Now, remember that contractor's name is Southwest Key—not a very good place to put kids. The Health and Human Services Office of Inspector General also identified issues with Southwest Key's self-dealing and compensation.

Now, as part of my ongoing investigation, for months I have requested from Southwest Key and other contractors and grantees basic information on their care of unaccompanied children, including whether these contractors performed background checks of their employees before they had access to these kids. Southwest Key has failed to fully respond to this inquiry, actually thumbing their nose at the U.S. Congress. Still the government kept giving Southwest Key contracts to care for these unaccompanied minor kids.

What followed all these contracts? Do we know that the kids are safe or not safe? Well, a recent Justice Department lawsuit alleges ''a pattern or practice of severe or pervasive sexual harassment of children in Southwest Key's care.'' So just think, this Justice Department has said that with this contractor, there is pervasive sexual harassment of children in their care. So we have to ask ourselves, if we are humanitarians, how many more children have to endure abuse before Congress finally says enough is enough? I say it shouldn't be even one more.

I am offering a bill, then—that is why I am here—that denies future contracts to bad actors who have been identified by the Justice Department as abusing unaccompanied migrant children. After applying due process, those government contracts would cease until the Justice Department certifies that the conditions leading to the abuse—that those conditions are taken care of, they are over.

I think this is a very commonsense solution that no politician, no Member of the Senate, Republican or Democrat, should stand against.

So I now make a request, Mr. President. As if in legislative session, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 5073, which is at the desk; further, that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid on the table.

The PRESIDING OFFICER (Mr. KELLY). Is there objection?

The Senator from Oregon.

Mr. MERKLEY. Mr. President, I reserve the right to object. I will share a few of my thoughts on this, but first I wanted to note that my colleague from Iowa is celebrating his birthday today. So a very happy birthday to you.

Mr. GRASSLEY. Thank you.

Mr. MERKLEY. And I understand it is his 91st; is that correct?

We should all want to be able to engage in public policy and public debate and dialogue when we have reached the start of our 10th decade, so congratulations to you.

Mr. GRASSLEY. It is kind of you to say that. Thank you.

Mr. MERKLEY. This topic that you have brought up today is one that I have had deep engagement in because I share your concerns about these congregate care facilities.

Back in 2018, I was the first Member of the House or Senate to go down to the border and to witness the separation of children from their parents and then to go up the road to knock on the door of Casa de Padre, which was run by Southwest Key, where I had heard a rumor that perhaps a thousand boys were being warehoused. When I knocked on the door, they didn't want to let me in to see what was going on, so we did a live stream feed of the conversation. I was trying to get the manager to come out and brief me, and the manager said, yes, he would be out, but actually what he did was he called the police to have me arrested.

The police didn't arrest me, but they did tell me that Casa de Padre, run by this organization, Southwest Key, had no interest in letting a Member of Congress come inside, a Member of the Senate come inside; move on. But because this was live-streamed, it became national news. As a result of that, the press got in the following weekend, and I was able to go back with a group of legislators 2 weeks later.

So I very much understand the challenge in the congregate care system and undertook a deep dive with experts across the country on, how do we address this problem? The long and short of it is, those experts all came together, and they helped draft a bill called the Children's Safe Welcome Act, because the issues that exist at Southwest Key are not unique to Southwest Key. In fact, we have had really deep challenges in one congregate care facility after another. Putting children into large, mass settings just does not at all provide a foundation for them to thrive.

I will just note that this policy brief—and I ask unanimous consent that the policy brief by the Women's Refugee Commission be printed in the RECORD.

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

[Women's Refugee Commission, Aug. 2023]

DECREASING ORR'S DEPENDENCE ON CONGREGATE CARE: FOUR RECOMMENDATIONS FOR PROGRESS

POLICY BRIEF

Since its inception, the Unaccompanied Children Program under the Office of Refugee Resettlement (ORR) has relied on congregate care for its custody of unaccompanied children. Congregate care is a catch-all term for group homes and larger institutions that care for many children away from families (see below for more details). Over the past decade, while the domestic child-welfare system has drastically reduced the use of mass congregate settings and emphasized kinship settings and family-like placements that are better for children's well-being, ORR has increased its reliance on large settings. For example, as of 2019 more than 90 percent of unaccompanied migrant children have been held in facilities with more than 50 beds, despite evidence that congregate care risks harming children's long-term mental health. Experts concur that ''any amount of time that a young person spends in an institutional placement is too long.'' Children averaged 30 days in ORR care in fiscal year 2022, while the length of stay was considerably longer for children placed in more restrictive settings.

It is critical that ORR engage in a long-term effort to move away from congregate care and toward more appropriate practices of community-based programs or family-like foster care placements. Until this happens, a critical step to limiting congregate care includes safe reductions of length of stay. Any guiding vision should include community-based programs that offer a high quality of care, minimal time away from family, and reunifications to safe, stable homes.

Based upon ongoing research that the Women's Refugee Commission conducted with current and former staff at congregate care facilities, post-release service providers, attorneys, and child advocates across the United States, this policy brief details concrete steps toward minimizing the use of congregate care for unaccompanied children. The brief also identifies four ways to enlist culturally sensitive, evidence-based, and trauma-informed approaches in working with young people within and beyond current ORR facilities. They are: (1) adopting geolocation in children's initial placements (i.e., placing children in a facility close to their family or sponsor); (2) building a pipeline of community-based care providers; (3) improving language access for non-Spanish-speaking children in custody; and (4) enhancing post-release services. Taken together, these efforts are critical to reducing ORR's reliance on congregate care, limiting children's length of stay in federal custody, and ensuring their safety following release.

What is congregate care?

Although congregate care is defined by the Department of Health and Human Services to include group homes with custody of as few as 7–12 children, in the ORR context, congregate care typically refers to ''a licensed or approved child care facility operated by a public or private agency and providing 24-hour care and/or treatment typically for 12 or more children who require separation from their own homes or a group living experience.''

ORR continues to rely predominantly on a network of very large facilities—50 beds or more—despite a precipitous shift away from institutional-based care for children nationally. ORR has a greater percentage of congregate care facilities in its provider network than states generally permit for domestic child-welfare placements. Similarly, ORR's congregate care facilities are larger than their counterparts in the domestic child-welfare systems. In 2021 and 2022, tens of thousands of unaccompanied children were held in emergency intake sites (EISs) and influx care facilities (ICFs) in converted convention centers, stadiums, and military bases. Ranging from 1,000 to 5,000 beds, EISs and ICFs are unlicensed by state child welfare authorities and not bound by conditions stipulated by the Flores Settlement Agreement.

Interviews with ORR stakeholders, including child psychologists, social workers, and family reunification specialists in ORR facilities, underscore the potential and actual harm that congregate care facilities can cause for children. Interviewees reported limited outdoor activity, restricted contact with parents and caregivers, and discriminatory treatment of LGBTQI+, Indigenous, and West African youth. Stakeholders described children simultaneously struggling to cope with the uncertainty of family reunification, procedural opacity, ongoing legal proceedings, and the possibility of deportation. Taken together, our research concludes that children should be reunified with family or sponsors as quickly as possible, while ensuring their safety and adequate support following release.

RECOMMENDATIONS FOR LIMITING CONGREGATE CARE AND BOLSTERING POST-RELEASE SERVICES

1. In initial placement decisions, geolocation is a best practice.

Stakeholders agreed unanimously that geolocation is a best practice and should be adopted as ORR policy. That is, when a child is transferred from U.S. Customs and Border Protection (CBP) to ORR custody, efforts should be made to place them in an ORR facility in the geographical area where the child's family (specifically, a Category 1 or Category 2 sponsor) is located. For children who may not know where family members live, the potential sponsor's area code can serve as a proxy, given that most children arrive with a family member's phone number.

Interviewees contended that geolocation is advantageous for several reasons. First, placement close to family facilitates communication with and support of the sponsor in completing the requisite paperwork, which can be cumbersome. Interviewees working with children in ORR custody believed that, in general, children are released sooner when placed near their parent or family member. Second, visitation with potential sponsors can reduce the stress of children who spend protracted time in ORR custody. This is especially applicable for children who are reunifying with parents or family members after prolonged separations. Third, family reunification specialists reported that observing the child with the potential sponsor can identify or alleviate safety concerns; if needed, specialists can more quickly turn to a more appropriate sponsor or placement. Fourth, geolocation allows legal service providers who have already prescreened children while in ORR custody to continue to provide legal representation following release. This additionally alleviates the considerable financial and logistical burden on children to find legal representation in a new location. Fifth, geolocation can aid with warm handoffs to area social service providers who provide key resources, such as information about state laws for securing health insurance and assistance with school enrollment. Lastly, geolocating children close to family members relieves travel costs for ORR and logistical burdens of transportation arrangements for facility staff.

2. ORR must build a pipeline of community-based care providers.

The ultimate goal of ending congregate care, including large-scale facilities, for unaccompanied children will not happen overnight. Despite repeated directives from Congress, ORR has failed to take adequate meaningful steps necessary to limit its reliance on congregate care. ORR must proactively invest in long-term, community-based programs for unaccompanied children. This includes launching a series of pilot programs that are culturally sensitive, evidence

based, and trauma informed. Over the long run, these community-based placements will prove cost-affective when compared to the daily cost of $775 per bed in influx facilities and $290 per bed in shelters and the nearly *$4.79 billion* spent on emergency influx and intake facilities.

Networks of community-based care exist in the domestic child welfare system. including community-based placements, small group homes, and foster care. These programs provide trauma-focused, intensive care for children and youth in home-like environments that facilitate their healthy development. Children attend local schools and are integrated into the community. To establish a pipeline of providers, the Administration for Children and Families (ACF) and ORR should:

provide technical training assistance to community-based organizations to navigate federal funding applications, operational requirements, and reporting;

engage outside child welfare experts, subject matter experts, and impacted community members to conduct site visits and provide consultation and recommendations to community-based organizations;

create a public plan to transition to 100 percent small-scale facilities with attention to the known challenges across contracting and grant-making, staffing limitations, availability, outreach, recruitment of potential providers, program officer oversight, and organizational reporting;

improve handoffs to community service providers in areas where unaccompanied children reunite with family; and

prescreen sites and secure contracts of a variety of models of care in advance, rather than identifying out-of-network placements on a case- by-case basis.

3. Rectify problems of children's language access in care.

ORR and its subcontractors are required by law ''to take reasonable steps to provide meaningful access'' to interpretation. According to interviewees, however, children's rights to use their primary language and their access to interpreters are regularly sidestepped within ORR facilities. The primarily affected children are Indigenous children from Central America who are presumed to speak Spanish, but whose primary languages are often Indigenous languages. When asked why language lines are not used, facility staff described the inconvenience of scheduling telephonic interpreters when they can ''get by'' in Spanish, that interpretation prolongs meetings with children amid high caseloads, and a lack of awareness of children's language rights due to high staff turnover within facilities. Further, several respondents reported that children are dissuaded from using their native language with other children, and are even separated to different pods or during activities to ensure that staff can understand the conversations. According to researchers, the deliberate separation of children from the same linguistic communities is a form of linguistic racism. Legal advocates said that children are misidentified as potentially trafficked and, conversely, not flagged as trafficked or vulnerable to trafficking because of mistakes in the intake and family reunification processes when an interpreter is not used.

Language-proficiency problems negatively impact the quality of children's care in ORR custody and likely lengthen the time that children spend apart from their families. ORR should expressly prohibit practices that prevent children from using their chosen language; incorporate training guidance for facility staff; provide translated signage in all facilities of many of the dominant languages of children in their custody; and provide regular monitoring that facilities are complying with children's consistent and meaningful access to interpretation. In addition, at time of intake, ORR should direct facility staff to ask children their first language and to use language access lines when completing all required intakes. For children, the use of their own language relieves stress, provides cultural familiarity, and enhances communication. While more time and cost intensive, the use of interpretation ensures greater accuracy of information and safety of the child's eventual placement.

4. Provide localized, wrap-around services for unaccompanied children released to a non-relative sponsor.

Post-release services (PRS) are contracted, social-service support provided to children following their release from ORR custody. PRS currently operate via bridging and referral programming in which a PRS worker connects the child and sponsor to critical mental health, medical, legal, and educational resources in their local community via a series of phone calls, mailings. or emails. Depending on the need, in-person visits are conducted. Stakeholders interviewed for this study, including PRS providers, affirmed the importance of localized services for children following release from ORR custody and called for expanded, in-person services for all children.

One stakeholder explained how teenagers are commonly prohibited from enrolling in public schools despite their legal right to attend school: ''They need someone knowledgeable about the US to accompany and advocate for them when school administrators are unlawfully turning them away.'' Others emphasized that PRS should be provided by local service providers who are knowledgeable of the nuances of state law and educational practices that may obstruct school enrollment, and who have up-to-date information regarding service availability. One stakeholder explained, ''The flyers provided are out of date or organizations on the forms are maxed out; kids really need people who have relationships with a community of providers.'' As one PRS provider stated, ''They need accompaniment, not more flyers.''

One challenge is that current PRS schemes are insufficient to meet the diverse needs of unaccompanied children. An ideal approach is to align PRS to a localized, wrap-around service model. Interviewees emphasized, however, that PRS should never be used to delay the reunification of a child and sponsor and that families should continue to be allowed to decline the services.

Given renewed concerns about the labor exploitation of unaccompanied children, ORR should:

offer PRS to all children released to a non-relative sponsor (''category 3'' sponsors);

offer PRS if requested by the child, family, or sponsor;

include an immediate, individualized needs assessment for child, sponsor, and family (as relevant) following release in all levels of PRS;

ensure that PRS needs assessments result in local. in-person social-service brokerage rather than remote referrals; and

eliminate the PRS backlog—which, at the time of writing, stands at well over 10,000 cases—with a goal that PRS appointments be in place when reunification occurs.

In contrast to traditional PRS services, which are service driven and problem based, wrap-around services enlist a strengths-based, needs-driven approach that builds on individual and family strengths. Wrap-around services are evidence-based, culturally responsive accompaniment practices that promote child and family involvement in setting goals to ensure children's well-being. These services are also more effective in ensuring children are safe given the close and trusting relationship children have with their care team. Engaging in local, community-based partnerships to provide wrap-around services simultaneously will strengthen ORR's network for placing children in the least restrictive environment and move the US toward ending congregate care for all children.

This policy brief was written by Lauren Heidbrink, PhD, associate professor of human development at California State University, Long Beach, and consultant for the Women's Refugee Commission. It was reviewed and edited by Katharina Obser, Mario Bruzzone, Dale Buscher, Joanna Kuebler, and Diana Quick of the Women's Refugee Commission.

For more information. contact Mario Bruzzone.

Women's Refugee Commission

The Women's Refugee Commission (WRC) improves the lives and protects the rights of women, children, and youth who have been displaced by conflict and crisis. We research their needs, identify solutions, and advocate for programs and policies to strengthen their resilience and drive change in humanitarian practice. Since our founding in 1989, we have been a leading expert on the needs of refugee women, children, and youth and the policies that can protect and empower them. *womensrefugeecommission.org*.

Mr. MERKLEY. Mr. President, it is called ''Decreasing OOR's Dependence on Congregate Care: Four Recommendations of Progress,'' written by the Women's Refugee Commission. But I assure you, this document is not alone. There is commission after commission, expert after expert who has weighed in to say that we have to eliminate these congregate care facilities, which is exactly what the Children's Safe Welcome Act does.

You know, these are children who are going through the process of claiming refugee status, and they are going to go through an adjudication of that status, and they are either going to be able to stay in the United States—and that is eventually adjudicated—or they are going to be sent back home.

If they are going to stay in the United States, we want a strong foundation for them to thrive as residents of our Nation. If they go back home, we want a strong foundation for them to thrive back home in the country they left.

In either case, we have a moral responsibility to these children. That moral responsibility compels us to eliminate these congregate care facilities that are not the right setting. Children should be quickly sent to small settings, to homes. They should be in school. They should be with host families. When there isn't a host family that is related, they should be with a host family that is providing a foundation for them. They shouldn't be in a mass congregate care facility—the name sounds much nicer than the reality.

So I am not going to take the time tonight to go through all of these various reports on how bad congregate care is for the children because I think

you have already touched on how bad it is with one provider. But shutting down one provider and sending them to other congregate care facilities now means the system is maxed out, which means the children coming in not only go to the remaining beds in a system that is maxed out, it also means that now we have to create temporary influx facilities, which are far worse than congregate care.

So this plan I know is so well-intentioned, and I certainly share the criticisms of the particular company you are addressing, but this is not the right answer. The right answer isn't to max out congregate care and create temporary influx facilities that are even worse; the answer is to get rid of these congregate care facilities and do what report after report, recommendation after recommendation has said will provide a foundation for these children to do well.

The National Center for Youth Law said that these influx facilities that would have to be created ''placed children's safety and welfare at risk.''

The Customs and Border Patrol facilities, which are the other option if we don't create the influx facilities, are described as so dangerous that children have died.

It goes on and on and on.

So given your deep interest in this topic and, really, desire for the children to be well-treated, I wanted to invite you to join me in this structure, this bill, the Children's Safe Welcome Act. Experts have said this is the right thing to do for the children.

For that reason, I will do the formal request, but the informal is, I know your heart is in the right place. I know you are pointing out flaws that are very, very real and that I have been personally witnessing since 2018. But the answer isn't more congregate care for these kids or influx facilities or Customs and Border Protection; it is eliminating these congregate facilities and doing what expert after expert, panel after panel has suggested.

So I am following up here. I ask that you, Senator GRASSLEY, modify your request and that the Merkley 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. Is there objection?

Mr. GRASSLEY. Mr. President, reserving the right to object, I would like to speak to this issue a little bit and point out some of the shortcomings of what Senator MERKLEY is trying to accomplish by amending my motion.

I see this amendment merely cementing into place the Biden-Harris policy that lost more than 85,000 migrant children. Can you believe that? If there was any question whether Democrats prioritize speed over safety when it comes to pushing migrant kids out the door, this partisan amendment lays that question to rest.

I think I made very clear, in giving reasons for my legislation, how this is really a big problem. Now, the text of what Senator MERKLEY is asking me to do mandates that the government make a placement determination for a child not later than 7 days after the government receives a sponsored application. Fingerprint-based background checks aren't required. And even the criminal record of a sponsor isn't necessarily disqualified.

Now, a question: What if a sponsor has no preexisting relationship to the child? Think of that. Well, that is not a problem for this proposal. The fact that a sponsor has no preexisting relationship to a child cannot be the sole basis for denying sponsorship under this Democrat-led solution.

This amendment just willy-nilly turns over children to sponsors who foot-drag on providing the documents needed to verify sponsor identity and safety. I can't imagine a loving parent or guardian slow rolling the paperwork needed to reunite with their child.

To most folks, that would be a very clear red flag, but not to Democrats. For them, it is just an administrative inconvenience.

So just understand, this Democratic solution allows the government to release children to sponsors even if there is a risk of harm to that child. According to this text, that is fine, so long as post-release services are in place. In fact, those are the only conditions under which post-release services are required according to this modification presented to me.

After directing the government to make what could be life-or-death decisions for a child on virtually no information, the bill restricts the ability to share lifesaving information with law enforcement.

Let's go back to what I laid down. I came to the floor tonight to offer a commonsense solution to deny bad actors access to kids. My bill would put contractors on notice that they can't willfully blind themselves to child abuse in order to get rich off taxpayers' dollars. Democrats couldn't even take that blindness seriously.

I encourage my colleagues to read the Justice Department's recent complaint against Southwest Key. I referred to the same Justice Department action in my opening remarks. This is what Justice found out, among other horrors: That complaint describes the repeated sexual abuse of a 5-year-old girl, the prostitution of a 15-year-old boy, and acts of a contractor desperate to even cover up all those wrongdoings.

So thanks to this Democrat-led effort, Congress won't prevent contractors like them from getting access to more kids and more taxpayers' dollars.

So, Senator MERKLEY, I am sorry to say that your modification doesn't do what I am trying to accomplish and leaves in place too much the status quo; so I have to object.

The PRESIDING OFFICER. Objection is heard.

Is there an objection to the original request?

Mr. MERKLEY. Mr. President, reserving the right to object, I would just like to note that this bill, put together by the best child welfare experts across the country, has in it a requirement under section 223 requiring background checks to be conducted for each resident of a foster care placement for a noncitizen child. It prohibits children from being placed in a home if a resident has a conviction for child abuse or trafficking or convicted of any offense that has a direct and immediate impact on the safety of a child.

I know that these sorts of dialogues—our staff worked quickly to try to prepare responses. But your actual criticisms are inaccurate. And, indeed, what these experts say is that a child should be put in the least restrictive setting that approximates a family in which the child's needs can best be met consistent with the best interests and special needs of that child.

The experts know congregate care is not the place to do that. The problems that exist in one mass setting are bad, but they exist in the other mass settings. So I do invite you—because I know you want to do the best for the children—to meet with the same experts who live this, night and day, seeking to have a system that creates a safe welcome for children and allows them to thrive so that when they get to that point of that asylum hearing, whether they head back to their home country or whether they become residents of the United States, they will be in a great place, not the sort of terrible place that congregate facilities put them. And, unfortunately, your approach continues to rely upon those very congregate facilities experts say need to be eliminated.

So for that reason, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. GRASSLEY. I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

OFFICE OF REFUGEE RESETTLEMENT

Mr. CASSIDY. Mr. President, when President Biden and Vice President HARRIS took office, we had the lowest rate of illegal immigration in nearly 50 years. But instead of maintaining strong border policies inherited from President Trump, the Biden-Harris administration rushed to overturn them. They ended ''Remain in Mexico,'' reimposed so-called catch-and-release, and exempted unaccompanied children from title 42.

The result was predictable. The Biden-Harris open border policies encouraged the worst rates of illegal immigration ever, including over 500,000 unaccompanied migrant children. In fact, the month after migrant children were exempted from title 42, we saw the highest monthly total of unaccompanied children crossing the southern border in history.

The influx of migrant children under the Biden-Harris administration overwhelmed the Office of Refugee Resettlement, also abbreviated the ORR. This is the Agency responsible for unaccompanied children apprehended at the border and responsible for releasing them to thoroughly vetted sponsors.

ORR responded to this influx by sending children to hastily constructed emergency care facilities with untrained, unvetted staff and poor living conditions. The Agency also removed key sponsor-vetting requirements after senior Biden-Harris officials directed ORR to expedite the process of releasing migrant children to outside sponsors.

It is so easy to interpret this as a means to shield the White House from the political embarrassment of facilities overrun with unaccompanied children crossing the border that they had just opened.

In fact, as early as July 21, ORR staff warned superiors that ORR leadership had dismantled sponsor-vetting policies and that these changes weakened ORR's ability to protect children from risk such as trafficking and exploitation. Despite this, ORR left these policies in place for years while hundreds of thousands of children were released to poorly vetted sponsors.

You know, sometimes, it is easy to think this is partisan. Sometimes, it is easy to lose track as Republicans and Democrats talk about issues. But now, we are talking about kids—children that could be our children—who are being released to people who are not being vetted. It is easy to forget that. This is not partisan. This is something which should concern us all.

As a ranking member of the Senate HELP Committee, I am investigating the administration's failure to protect these migrant children from exploitation and abuse. I have learned that some of these children were forced into dangerous working conditions and exploited for illegal labor. At one such facility currently under investigation, a child was pulled into a meat processing machine.

By the way, again, we are not making this up. We have testimony from witnesses who speak to all of these facts. We have the whistleblowers who came to a roundtable. We have got the transcripts.

I have also learned that ORR's weakening of sponsor-vetting requirements directly led to children being put in harm's way. And in one instance, ORR neglected to verify whether the sponsor's claimed address was even a real home, and they sent this child to an address nothing more than open field. In another case, a 16-year-old was released to a sponsor who posted sexually explicit photos of the child on social media, including a photo with the sponsor touching the child inappropriately.

In addition to my investigation, I joined Senators GRASSLEY and JOHNSON earlier this summer in hosting a Senate roundtable to examine ORR's failures and identify steps Congress could take to reform the Agency. We learned that due to failure at ORR, some unaccompanied children have been forced into drug trafficking, sex trafficking, and other criminal activity to pay off the cartels who brought them. All of this—according to whistleblowers—without followup or meaningful oversight from the Biden-Harris administration.

I repeat: This is not rhetoric, not fiction. This is what we are hearing from whistleblowers.

This exploitation also seemingly occurs while migrant children are still in ORR custody. In July, the Department of Justice filed a lawsuit against Southwest Key Programs, the largest ORR contractor housing unaccompanied children, alleging that for nearly a decade, its employees have committed sexual abuse and harassment against unaccompanied children as young as 5 years old.

DOJ alleges that Southwest Key not only failed to take sufficient action to prevent sexual abuse but actively discouraged children from officially reporting these incidents.

Once more, this is not rhetoric. This is as a result of whistleblowers. This should not be partisan.

In August, I called on the HELP Committee chair to hold a hearing with Southwest Key and ORR officials to answer how these shocking allegations of sexual abuse went undetected for so long. So far, HELP Committee Democrats have not committed to a hearing or any effort to investigate.

And, by the way, Southwest Key still receives hundreds of millions of taxpayer dollars to operate shelters for migrant kids. If ORR will not take action in the wake of these allegations, Congress should. That is why I worked with Senator GRASSLEY on legislation that would prohibit the use of Federal funds for Southwest Key or any other ORR grantee facing suspension and debarment procedures for allowing illegal sexual abuse or harassment of children in its care. I appreciate Senator GRASSLEY's leadership.

The problems with ORR and the exploitation of children have been well-documented for years. Yet there has been no substantive effort by Biden or HARRIS to fix their open border policies—which caused these problems to begin with—or reform ORR to protect unaccompanied children from harm.

The exploitation of children should not be partisan. This is not a Republican or Democratic issue. When vulnerable children are harmed or die at the expense of bad policies or bad procedures or bad process, everyone should be outraged and everyone should be demanding change.

Unfortunately, it is clear that Republicans are taking this problem more seriously than Democrats.

It is not a messaging issue. It is an issue that challenges the humanity within us. It is something we should address whether or not it is an election year.

I wish that my Democratic colleagues would join Republicans tonight to pass this commonsense bill to hold ORR contractors accountable for the abuse and exploitation of children under their watch. We should protect these vulnerable children from harm as if they were our own.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

CLOTURE MOTION WITHDRAWN

Mr. MERKLEY. Mr. President, I ask unanimous consent that the cloture motion with respect to the Pennell nomination be withdrawn.

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

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. MERKLEY. 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.

TRIBUTE TO ROBERT ''BOB'' SUNSHINE

Mrs. MURRAY. Mr. President, I rise to acknowledge the service of an extraordinary public servant who is retiring at the end of next week, Robert ''Bob'' Sunshine.

Congress depends on the expertise and hard work of our valued staff and supporting agencies. After 48 years of exemplary service to the Congressional Budget Office, spanning virtually the entirety of the agency's existence, few staffers have done more to serve this institution and the American people than Bob Sunshine. As President pro tempore of the Senate, as well as the chair of the Appropriations Committee and former chair of the Budget Committee, I thank and commend Bob for his many decades of excellent public service to CBO and the Congress and wish him and his family all the best in his much-deserved retirement.

I ask my colleagues to join me in thanking Bob for his dedication and service to us and the American people.

ARMS SALES NOTIFICATIONS

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)(5)(A) of the Arms Export Control Act (AECA), as amended, we are forwarding Transmittal No. 0N–23. This notification relates to enhancements or upgrades from the level of sensitivity of technology or capability described in the Section 36(b)(1) AECA certification 22–11 of May 26, 2022.

Sincerely,

MICHAEL F. MILLER,
Director.

Enclosure.

TRANSMITTAL NO. 0N–23

Report of Enhancement or Upgrade of Sensitivity of Technology or Capability (Sec. 36(b)(5)(A), AECA)

(i) Purchaser: Government of Egypt.

(ii) Sec. 36(b)(1), AECA Transmittal No.: 22–11; Date: May 26, 2022; Military Department: Army.

Funding Source: Foreign Military Financing (FMF).

(iii) Description: On May 26, 2022, Congress was notified by Congressional certification transmittal number 22–11, of the possible sale under Section 36(b)(1) of the Arms Export Control Act of twenty-three (23) CH–47F Chinook Helicopters; fifty-six (56) T–55–GA–714A Engines (46 installed, 10 spares); fifty-two (52) Embedded Global Positioning System (GPS) Inertial Navigation Systems (INS) (EGI) (46 installed, 6 spares); twenty-nine (29) AN/AAR–57 Common Missile Warning Systems (CMWS) (23 installed, 6 spares); and seventy-five (75) M–240 Machine Guns (69 installed, 6 spares). Also included was Common Missile Warning System (CMWS) classified software; AN/APR–39 Radar Warning Receivers (RWR); AN/AVR–2B Laser Detecting Sets (LDS); High Frequency (HF) radios; Aircraft Survivability Equipment (ASE) (including 25.4mm decoy cartridges, impulse cartridges for cable cutters and aircraft cartridges); AN/ARN–147 Very High Frequency (VHF) Omni Directional Radio Range/Instrument Landing System (VOR/ILS) receivers; AN/ARN–153 Tactical Airborne Navigation System (TACAN) radios; AN/APN–209 radar altimeters; AN/AVS–6 Night Vision Devices (NVD); 7.62mm ammunition; items and services to support the mission equipment; hardware and services required to implement additional aircraft options such as: rescue hoists; external cargo slings and nets; Bambi fire buckets; Fast Rope Insertion Extraction Systems (FRIES); Cargo On/Off Loading Systems (COOLS); Extended Range Fuel Systems (ERFS); upgrade to the maintenance hangar and additional parking pads; special tools and test equipment; ground support equipment; airframe and engine spare parts; technical data; publications; Maintenance Work Orders/Engineering Change Proposals (MWO/ECPs); technical assistance; transportation; training; and other related elements of logistics and program support. The total estimated program cost was $2.6 billion. Major Defense Equipment (MDE) constituted $1.725 billion of this total.

This transmittal notifies the following MDE articles that were previously reported as non-MDE: eighty-one (81) AN/ARC–231A (RT–1987) radios. This transmittal also reports replacing the previously notified fifty-two (52) Embedded Global Positioning System (GPS) Inertial Navigation Systems (INS) (EGI) (46 installed, 6 spares) with fifty-two (52) Embedded Global Positioning System (GPS) Inertial Navigation Systems (INS) (EGI) with M–Code (46 installed, 6 spares). The following non-MDE items will also be included: AN/APX–123A Identify Friend or Foe (IFF) Transponders; KY–100 Encryptor Terminals; KIV–77 Crypto Appliques; AN/VRC–100 Advanced High Frequency Ground Transceivers; AN/PYQ–10 (C) Simple Key Loaders; AN/ARC–220 High Frequency (HF) Radios; and the Automated Communication Engineering Software (ACES) Package. Although the estimated additional MDE value is $12 million, the estimated total MDE value will remain $1.725 billion. The total estimated case value will remain $2.6 billion.

(iv) Significance: This notification is being provided to add MDE articles that were added to the program due to the obsolescence of the items they will replace and to report the AN/ARC–231A as MDE. The proposed articles and services will support Egypt's ongoing effort to modernize its armed forces and increase its capacity to detect threats and control its borders, contributing to the maintenance of regional stability and security. This will contribute to the Egyptian military's effort to update their capabilities and enhance interoperability with the United States and other strategic allies.

(v) Justification: This proposed sale will support the foreign policy and national security objectives of the United States by helping to improve the security of a Major Non-NATO Ally that continues to be an important force for political stability and economic progress in the Middle East.

(vi) Sensitivity of Technology: The AN/ARC–231A (RT–1987) radio is a multi-mode software defined radio providing line of sight very high frequency (VHF)/ultra high frequency (UHF) secure and non-secure voice and data communications over the 30.000–941.000 MHz frequency and Satellite Communications (SATCOM) beyond line of sight secure and non-secure voice and data, including Demand Assigned Multiple ACCESS (DAMA) communications from the 240–320 MHz frequency range on manned and unmanned aviation platforms. ARC–231A includes improved type-1 cryptographic algorithm and processing capabilities, Civil Land Mobile Radio, Single Channel Ground and Airborne Radios System (SINCGARS) capabilities, HAVE QUICK (HQ), Second Generation Anti-Jam Tactical UHF Radio for NATO (SATURN) wave form, 8.33 kHz channel spacing for Global Air-Traffic Management (GATM) compliance, and capability for Mobile User Objective System (MUOS) waveform through possible future hardware and software updates.

The AN/APX–123A Transponder is an IFF digital transponder set that provides pertinent platform information in response to an IFF interrogator. It provides this cooperative capability using full diversity selection, as well as Mode Select capability.

The KY–100 is a radio encryptor that has sensitive technology. This device is a self-contained terminal and provides for secure voice and data communications in tactical airborne/ground environments.

The KIV–77 is a Common Crypto Applique for Identification, Friend or Foe (IFF) that provides Mode 4/5 capability.

The AN/VRC–100 is the ground version of the AN/ARC–220 HF radio, which provides embedded Automatic Link Establishment (ALE), serial tone data modem, text messaging, and GPS position reporting functions.

The AN/PYQ–10 (C) Simple Key Loader (SKL) is a ruggedized, portable, hand-held fill device used for securely receiving, storing, and transferring electronic key material and data between compatible end cryptographic units (ECU) and communications equipment. It supports both the DS–101 and DS–102 interfaces, as well as the Crypto Ignition Key and is compatible with existing ECUs.

The AN/ARC–220 HF airborne communications system provides embedded ALE, serial tone data modem, text messaging and GPS position reporting functions.

The Sensitivity of Technology Statement contained in the original notification applies to the other items reported here.

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

(vii) Date Report Delivered to Congress: September 12, 2024.

TRIBUTE TO LIEUTENANT GENERAL JONATHAN STUBBS

Mr. BOOZMAN. Mr. President, I rise today to congratulate U.S. Army LTG Jonathan Stubbs on his promotion to director of the Army National Guard.

General Stubbs was appointed by Arkansas Governor Sarah Huckabee Sanders to serve as adjutant general of the Arkansas National Guard in January 2023 after a long and distinguished career in the National Guard.

He first enlisted in the Army National Guard in Tennessee, but very quickly made his home in the Natural State and spent nearly three decades serving and leading citizen soldiers in Arkansas. In fact, he held every leadership position within the 39th Infantry Brigade Combat Team and deployed to Iraq twice during Operation Iraqi Freedom.

As an Active-Guard Reserve officer from 1997–2021, Stubbs completed numerous trainings and assignments, which culminated in his promotion as chief of staff for the Arkansas Army National Guard.

His entire service in uniform has been characterized by bravery and skill, earning him decorations to include the Combat Infantryman Badge, Valorous Unit Award, three Legion of Merit citations, two Bronze Star Medals, and the Defense Meritorious Service Medal, among many others.

His leadership potential and experience led to his appointment as vice director for operations for the National Guard Bureau in 2021, and the next year, he was assigned as the deputy director of Operations, Readiness, and Mobilization at Department of the Army Headquarters, based at the Pentagon.

As head of the Arkansas National Guard, General Stubbs was a driving force of remarkable progress and growth. He connected communities to the Guard and enhanced relationships between servicemembers, families, veterans, businesses, and local leaders;

elevated recruiting and retention efforts that had struggled amid the pandemic through innovative approaches, including partnership with skills and vocational initiatives; ensured guardsmen's preparedness to not only deploy in defense of our country to Europe and the Middle East, but also around the State of Arkansas and to the U.S. southern border; built and expanded partnerships, particularly with National Guard State Partnership Program counterpart Guatemala; and helped inspire confidence in the Arkansas Guard's capabilities and personnel through excellent communication, professionalism, and unmistakable passion.

It was a special pleasure and honor to work alongside General Stubbs to secure a new flying mission at Ebbing Air National Guard Base and help guide necessary preparations for the Active Duty-Air Force bed down in advance of the formal arrival of the Foreign Military Sales Program in Fort Smith. His expertise and diligence were indispensable to the success of this incredibly consequential opportunity for the State of Arkansas that will also greatly benefit U.S. national security.

As he begins this new chapter leading our Army National Guard, we are tremendously grateful for all his contributions to our State and stewardship of the Arkansas Guard for so many years. General Stubbs will undoubtedly continue to make the Natural State proud through his exceptional leadership, steadfast commitment to the guardsmen under his command, and dedication to the defense of the United States, its allies, and interests. We wish him well in this new role.

RECOGNIZING THE 555TH PARACHUTE INFANTRY BATTALION, ''TRIPLE NICKLES''

Mr. RUBIO. Mr. President, I recognize and honor the legacy of the 555th Parachute Infantry Battalion, known as the ''Triple Nickles,'' a unit that exemplified the highest standards of excellence and professionalism in the U.S. Army. As the first all-Black parachute infantry battalion in the U.S. Army, the Triple Nickles made extraordinary contributions to our Nation. Formed in the face of adversity and prejudice, the 555th Parachute Infantry Battalion was composed of highly skilled and dedicated soldiers who demonstrated exceptional courage and resolve, breaking barriers and laying the groundwork for the integration of our Armed Forces. The Triple Nickles forged a legacy of bravery, skill, and dedication that continues to inspire us.

In 1945, the Triple Nickles were assigned to a unique and critical mission known as Operation Firefly, where they parachuted into the rugged terrain of the American Northwest to extinguish forest fires started by Japanese incendiary balloon bombs during World War II. This mission was both dangerous and essential, as these brave soldiers helped protect our homeland from a new and insidious form of warfare. Their skills and bravery during these operations set the standard for future military smokejumpers and left an indelible mark on the history of airborne operations.

The legacy of the Triple Nickles extends beyond their military achievements. Their success challenged the prevailing attitudes of the time and contributed to the eventual desegregation of the U.S. military. When the battalion was integrated into the 82nd Airborne Division, it marked a significant step towards the equality of treatment and opportunity for all servicemembers, regardless of race.

Today, as we reflect on the contributions of the 555th Parachute Infantry Battalion, we honor their service and sacrifice. They were more than just soldiers; they were trailblazers who fought for their country and the right to serve it with dignity and respect. Their courage continues to inspire generations of soldiers and reminds us of the progress we have made as a nation. Their contributions to our Nation's history are immeasurable, and their legacy endures in the freedoms we enjoy today.

It is with great pride that I recognize the 555th Parachute Infantry Battalion, the Triple Nickles, and ensure that their story of service and excellence is remembered and celebrated in our Nation's history.

RECOGNIZING THE BLUE ANGELS 2025 OFFICER SELECTIONS

Mr. RUBIO. Mr. President, I recognize the newest selectees for the U.S. Navy Flight Demonstration Squadron, the Blue Angels, as they prepare to join this esteemed team for the 2025 air show season. The Blue Angels are a symbol of naval aviation excellence and a vital part of Florida's rich military heritage, with their home base at Naval Air Station Pensacola.

Each year, the Blue Angels inspire millions of spectators with their precise and daring aerial performances, showcasing the skill and professionalism of the U.S. Navy and Marine Corps. The team's presence in Florida is a source of immense pride, reinforcing the deep connection between our State and the military.

This year, after a highly competitive selection process, five outstanding officers have been chosen to join the Blue Angels for the 2025 show season: Maj. Brandon Wilkins, from Beaufort, SC; Maj. Scott Laux, from Chantilly, VA; Lcdr. Lilly Montana, from Vienna, VA; Maj. Joshua Horman, from Smithville, MO; and Cmdr. Jen Murr, from Jackson Center, OH.

Their selection is a testament to their extraordinary skill, dedication, and commitment to the values of the U.S. Navy and Marine Corps. The Blue Angels are more than just a demonstration team; they are ambassadors of goodwill, fostering a sense of community and patriotism across Florida and the Nation. Their performances inspire future generations of aviators and remind us all of the critical role our military plays in safeguarding our freedoms.

I congratulate Maj. Brandon Wilkins, Maj. Scott Laux, Lcdr. Lilly Montana, Maj. Joshua Horman, and Cmdr. Jen Murr on their selection. I look forward to the 2025 show season and the continued success of the Blue Angels, a team that embodies the very best of our Nation's Armed Forces.

TRIBUTE TO MARY LOUISE QUINBY

Ms. CANTWELL. Mr. President, I rise today to wish a very happy birthday to Mary Louise Quinby, a wife, mother, grandmother, great-grandmother, and great-great-grandmother, from Ocosta, WA. Mrs. Quinby turned 100 years old on August 26, and she continues to be the driving force within her family, which now consists of 8 children, 30 grandchildren, 56 great-grandchildren, and 5 great-great-grandchildren.

Born August 26, 1924, Mary grew up on a small family farm. In 1942, during World War II, she married her high school sweetheart Robert, and while he served in the Navy, Mary worked as a Rosie the Riveter in a local shop in Aberdeen.

After the war, Mary and Bob settled in Bremerton, where Bob worked in the shipyards as a machinist. In 1948, Mary's uncle, a cranberry grower in Grayland, encouraged her husband and brother Jack to try their hand at farming cranberries. They bought their first bog of two acres from her uncle and moved their small family to Grayland.

During the years after their first cranberry bog purchase and until the early 1970s, they bought about 23 acres of bogs. Mary supported her husband while he worked his second job as a machinist in a local plant by weeding, irrigating, and doing frost protection when necessary.

In the early 1970s, Bob became ill, and they started selling portions of their bogs to their oldest son, Robert P. Quinby. During this time, Mary—mostly by herself—farmed about eight acres. She raised a bumper crop, and it topped the highest yield on that acreage. She never let her husband forget it.

Her husband was the West Coast director for Ocean Spray for many years, during which time Mary played an instrumental role in teaching other farmers about Ocean Spray and cranberry farming.

During all of that time, and through today, her family has remained her top priority, and the legacy of that 1948 decision to become a cranberry farmer has been passed down in her family. Today, two sons, one daughter, and eight grandchildren grow cranberries.

From their first purchase in 1948 of two acres, Mary's descendants have

amassed close to 275 acres in the Grayland area and are busy training the next generations of cranberry owners.

Mary is a shining example of the American dream and beloved by all who know her. Her dedication to her family, her community, and her farms is obvious, and I wish her the happiest of birthdays.

ADDITIONAL STATEMENTS

RECOGNIZING THE 100-YEAR ANNIVERSARY OF THE NEVADA ASSOCIATION OF COUNTIES

● Ms. CORTEZ MASTO. Mr. President, today I rise to recognize the 100-year anniversary of the Nevada Association of Counties, also known as NACO. NACO was established in Reno, NV, in 1924 under the name of Nevada County Commissioners' Association. NACO was established when Nevada had a total population of 84,000 residents. Today, NACO represents all 17 counties in Nevada, from Clark County with a population of over 2,000,000 residents, to Esmerelda with a population of less than 1,000 residents. Every year, I make a dedicated effort to visit all 17 Nevada counties because I know how important each community is to our State's economy and culture.

Counties serve as a vital administrative arm of Nevada's State government. Their work is critical, as they play a key role in maintaining records, overseeing courts and law enforcement, supporting fire protection, administering health and welfare assistance, assessing property, collecting taxes, building roads, and conducting elections. Nevada counties perform these important functions and many others through their elected representatives who serve as general purpose government for both unincorporated and incorporated areas, thereby servicing all people within Nevada.

Since 1924, Nevada counties have grown in population, experienced urbanization, and undergone economic evolutions. Over the past 100 years of Nevada's development, NACO has helped county governments to meet this change. NACO's initiative, leadership, and proactive problem solving have helped counties across Nevada act and usher in positive change.

Today, Nevada counties face unique challenges and opportunities. Even though Nevada is one of the most urbanized States in the Nation, the State has a large rural population. NACO continues their legacy of ensuring Nevada county governments have the best opportunity to make positive change and can lead all Nevada communities into the future, no matter their size.

As a representative of all 17 counties in Nevada, NACO plays a large role in ensuring all people within Nevada benefit from local, regional, State, and national decisions. This is accomplished through their continued nonpartisan efforts to provide county governments with educational and support services, advocacy at a State and Federal level and opportunities to make legislative change in the State. I know that our Nevada congressional delegation appreciates working directly with this hard-working organization and its members.

I ask my colleagues to join me in recognizing NACO's 100 years of dedicated service to all people within Nevada and NACO's efforts to meet the challenges and opportunities facing Nevada's counties. We look forward to continuing the legacy by working collaboratively for the next hundred years.●

RECOGNIZING FIRST BAPTIST CHURCH OF WHITE HALL

● Mr. COTTON. Mr. President, the First Baptist Church of White Hall is celebrating its 100th anniversary this year. The White Hall Baptist Mission was organized on July 24, 1924, by Dr. J. D. Sayers, Brother J. L. Lee, and the deacons of First Baptist Church of Pine Bluff. There were 11 charter members.

The new church shared a school building with the First Methodist Church of White Hall until Mrs. Clara Pinkington donated the property at 8203 Dollarway Road for a new building in October 1924. In 1925, a church building was erected and the name was changed to Lee Memorial Baptist Church in memory of Brother J.L. Lee. It was completed debt-free in 1926. In 1985, under Brother Jack Ramsey, members voted to change the church name to its present-day name, the First Baptist Church of White Hall.

While additional structures were added to the facilities throughout the years, the older buildings are still used today for educational space, children and youth ministries, and other fellowships. First Baptist Church of White Hall has had 18 pastors in the last 100 years. And remarkably, the tenure of the last two pastors Brothers Bob Harper and Paul Williams have spanned 36 of those 100 years. I join the church members, White Hall community, and State of Arkansas in recognizing First Baptist Church of White Hall in this milestone.●

RECOGNIZING SCE

● Ms. ERNST. Mr. President, as ranking member of the Senate Committee on Small Business and Entrepreneurship, each week I recognize an outstanding Iowa small business that exemplifies the American entrepreneurial spirit. This week, it is my privilege to recognize SCE of Cherokee, IA, as the Senate Small Business of the Week.

Upon graduation from Iowa State University in 2003, Cory Bouchard began working as an operations supervisor for Schoon Construction, Inc. He worked at the company for 11 years until the owner was looking to sell part of the business. Cory knew he was interested, and his wife Maria recognized the need for reliable excavation and construction services in Cherokee and throughout western Iowa. They purchased part of Schoon Construction, Inc., and created SCE.

Since its founding in 2015, SCE specializes in providing commercial and residential site utility services, cementing their reputation as the go-to company in fixing the city's water, sewage, or utilities. Today SCE employs seven local community members who are all committed to upholding SCE's service standards.

During the severe floods in Iowa this summer, SCE played an instrumental role in saving the city from potentially irreversible damage. The team worked around the clock alongside the Cherokee Volunteer Fire Department to pump out water and sewage, fix main water lines, and operate the city's vital water pumps. During the floods, the Cherokee sewage lift station that moves wastewater, nearly collapsed, prompting SCE to jump in and get it back on track. Once the flooding receded, SCE and local volunteers continued their work by focusing on clean-up and recovery.

Beyond their operational contributions, SCE has a deep-rooted presence in the Cherokee community. The company is committed to helping local schools and community groups receive needed resources through their sponsorships. For example, SCE sponsors the Cherokee County Fair and the Cherokee County Rodeo. SCE is also a member of both the Cherokee Chamber of Commerce and the Better Business Bureau. In 2016, the Cherokee Chamber recognized SCE as the Small Business of the Year. Early next year, SCE will celebrate its tenth business anniversary.

SCE's commitment to reliable construction and excavation servicing is clear. I would like to thank the Bouchard family and the team at SCE for their dedication and incredible commitment to Cherokee County and the western Iowa area. I look forward to seeing their continued development and achievements in Iowa.●

RECOGNIZING LOS TIGRES DEL NORTE

● Mr. PADILLA. Mr. President, this week, as they are honored with the 2024 Medallion of Excellence Award, the highest accolade awarded by the Congressional Hispanic Caucus Institute, I rise to celebrate the over five-decade career of California-based norteño band, Los Tigres del Norte.

While they would eventually go on to become one of the most successful Latin music groups of all time, few people would have guessed it when they booked their first trip north to the United States to perform at a State prison in northern California—without even having a band name.

Raised in the town of Rosa Morada, Mocorito, in the Mexican state of Sinaloa, 3 of the 11 Hernandez children grew up playing music together in

local parades. In 1965, when their father, a rancher, injured his legs and couldn't work, Jorge, Raul, and Hernan recruited their cousin Oscar and began traveling the region as a band, earning money at local clubs to support their family.

In 1968, just teenagers at the time, they traveled north of the border to perform alongside mariachis, dancers, and even mimes for the inmates of a State prison south of San Jose, CA. It was then that an immigration official first labeled them the ''Little Tigers.'' What came after was five decades of norteño-style music that resonated with people across the continent, tens of millions of albums sold, multiple Grammy and Latin Grammy awards, and the Latin Recording Academy's Lifetime Achievement Award.

Los Tigres del Norte, who would later add Eduardo and Luis Hernandez, have helped popularize norteño music in the United States, a genre that combined the music of Mexican laborers with the accordion-laced polka music of Czech and German immigrants.

True to their genre, Los Tigres embraced storytelling, sharing stories of hardship back in Mexico; of immigrants' long, difficult journeys; and of life in America. At first, they gave a voice to Mexican day laborers living in America. But soon enough, they began growing alongside a blossoming Latino population throughout the United States to become titans of the music industry.

They have filled theaters and stadiums, even released their own Netflix documentary as a 50th anniversary tribute to Johnny Cash's historic concert at Folsom Prison in California. From ''America'' to ''La Jaula de Oro,'' Los Tigres' music continues to tell the story of the Latino experience in America today.

On a personal note, as the proud son of Mexican immigrants and as a child who grew up in the working-class community of Pacoima, CA, I remember their music filling our home and blasting out of speakers at neighborhood parties growing up. And in the mid-1990s, when immigrants and the children of immigrants in California rose up against the hateful, anti-immigrant proposition 187, Los Tigres' music was integrated into the soundtrack of our struggle.

Today, as a lifelong fan, I am proud to say their music now echoes in the Halls of Congress.●

MESSAGES FROM THE HOUSE

At 11:16 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, in which it requests the concurrence of the Senate:

H.R. 1425. An act to require any convention, agreement, or other international instrument on pandemic prevention, preparedness, and response reached by the World Health Assembly to be subject to Senate ratification.

ENROLLED BILLS SIGNED

At 2:26 p.m., a message from the House of Representatives, delivered by Mrs. Alli, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

H.R. 7032. An act to amend the Congressional Budget and Impoundment Control Act of 1974 to provide the Congressional Budget Office with necessary authorities to expedite the sharing of data from executive branch agencies, and other purposes.

H.R. 7377. An act to amend the Federal Oil and Gas Royalty Management Act of 1982 to improve the management of royalties from oil and gas leases, and for other purposes.

The enrolled bills were subsequently signed by the President pro tempore (Mrs. MURRAY).

At 3:45 p.m., a message from the House of Representatives, delivered by Mrs. Alli, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 5613. An act to require a review of whether individuals or entities subject to the imposition of certain sanctions through inclusion on certain sanctions lists should also be subject to the imposition of other sanctions and included on other sanctions lists.

At 7,05 p.m., a message from the House of Representatives, delivered by Mrs. Alli, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 9468. An act making supplemental appropriations for the fiscal year ending September 30, 2024, and for other purposes.

MEASURES REFERRED

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

H.R. 1425. An act to require any convention, agreement, or other international instrument on pandemic prevention, preparedness, and response reached by the World Health Assembly to be subject to Senate ratification; to the Committee on Foreign Relations.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 5613. An act to require a review of whether individuals or entities subject to the imposition of certain sanctions through inclusion on certain sanctions lists should also be subject to the imposition of other sanctions and included on other sanctions lists.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–5862. A communication from the Acting Regulations Specialist of Subsistence Management, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Subsistence Management Regulations for Public Lands in Alaska - 2024–25 and 2025–2026 Subsistence Taking of Wildlife Regulations'' (RIN1018–BG72) received in the Office of the President of the Senate on September 9, 2024; to the Committee on Energy and Natural Resources.

EC–5863. A communication from the Chief of the Regulations and Standards Branch, Bureau of Safety and Environmental Enforcement, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Oil and Gas and Sulfur Operations in the Outer Continental Shelf - High Pressure High Temperature Updates'' (RIN1014–AA49) received in the Office of the President of the Senate on September 10, 2024; to the Committee on Energy and Natural Resources.

EC–5864. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''American Society of Mechanical Engineers 2021–2022 Code Editions'' (RIN3150–AK21) received in the Office of the President of the Senate on September 10, 2024; to the Committee on Environment and Public Works.

EC–5865. A communication from the Chief of Bird Conservation, Permits, and Regulations, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Migratory Bird Hunting; Final 2024–2025 Frameworks for Migratory Bird Hunting Regulations'' (RIN1018–BG63) received in the Office of the President of the Senate on September 10, 2024; to the Committee on Environment and Public Works.

EC–5866. A communication from the Chief of Bird Conservation, Permits, and Regulations, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Migratory Bird Hunting; Final 2024–2025 Seasons for Certain Migratory Game Birds'' (RIN1018–BG63) received in the Office of the President of the Senate on September 10, 2024; to the Committee on Environment and Public Works.

EC–5867. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Review of Final Rule Reclassification of Major Sources as Area Sources Under Section 112 of the Clean Air Act'' (FRL No. 4908.1–02–OAR) received in the Office of the President of the Senate on September 9, 2024; to the Committee on Environment and Public Works.

EC–5868. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Perfluoroalkyl and Polyfluoroalkyl Substances Data Reporting and Recordkeeping under the Toxic Substances Control Act; Change to Submission Period and Technical Correction'' ((RIN2070–AK67) (FRL No. 7902.1–02–OCSPP)) received in the Office of the President of the Senate on September 9, 2024; to the Committee on Environment and Public Works.

EC–5869. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Perfluoroalkyl and Polyfluoroalkyl Substances Data Reporting and Recordkeeping under the Toxic Substances Control Act; Change to Submission Period and Technical Correction'' ((RIN2070–AK67) (FRL No. 7902.1–02–OCSPP)) received in the Office of the President of the Senate on September 9, 2024; to the Committee on Environment and Public Works.

EC–5870. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection

Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; California; South Coast Air Quality Management District'' (FRL No. 11442–02–R9) received in the Office of the President of the Senate on September 9, 2024; to the Committee on Environment and Public Works.

EC–5871. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Phasedown of Hydrofluorocarbons: Correction to Address Vacated Provisions'' ((RIN2060–AW15) (FRL No. 11597–01–OAR)) received in the Office of the President of the Senate on September 9, 2024; to the Committee on Environment and Public Works.

EC–5872. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''North Carolina: Final Authorization of State Hazardous Waste Management Program Revisions'' (FRL No. 11972–03–R4) received in the Office of the President of the Senate on September 9, 2024; to the Committee on Environment and Public Works.

EC–5873. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''National Priorities List'' (FRL No. 12163–02–OLEM) received in the Office of the President of the Senate on September 9, 2024; to the Committee on Environment and Public Works.

EC–5874. A communication from the Director of the Regulations and Disclosure Law Division, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Extension of Import Restrictions Imposed on Certain Archaeological Material of Algeria'' (RIN1515–AE90) received in the Office of the President of the Senate on September 9, 2024; to the Committee on Finance.

EC–5875. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Updated Procedures for Requesting Approval to Use Substitute Mortality Tables'' (Rev. Proc. 2024–32) received in the Office of the President of the Senate on September 9, 2024; to the Committee on Finance.

EC–5876. A communication from the President of the United States, transmitting, pursuant to law, a social security totalization agreement with Romania, titled ''Agreement on Social Security between the United States of America and Romania'' and the accompanying legally binding administrative arrangement titled ''Administrative Arrangement between the Competent Authorities of the United States of America and Romania for the Implementation of the Agreement on Social Security between the United States of America and Romania''; to the Committee on Finance.

EC–5877. A communication from the Principal Deputy Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report entitled ''Determination Under Section 506(a)(1) of the Foreign Assistance Act of 1961 (FAA) to Provide Military Assistance to Ukraine''; to the Committee on Foreign Relations.

EC–5878. A communication from the Principal Deputy Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) and 36(d) of the Arms Export Control Act, the certification of a proposed license amendment for the export of defense articles, including technical data and defense services in the amount of $100,000,000 for the manufacture of significant military equipment abroad to Canada (Transmittal No. DDTC 24–030); to the Committee on Foreign Relations.

EC–5879. A communication from the Principal Deputy Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license amendment for the export of defense articles, including technical data and defense services in the amount of $100,000,000 or more (Transmittal No. DDTC 24–039); to the Committee on Foreign Relations.

EC–5880. A communication from the Executive Secretary, U.S. Agency for International Development (USAID), transmitting, pursuant to law, five (5) reports relative to vacancies in the U.S. Agency for International Development (USAID), received in the Office of the President of the Senate on September 9, 2024; to the Committee on Foreign Relations.

EC–5881. A communication from the Principal Deputy Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled ''Intercountry Adoption: Regulatory Changes to Accreditation and Approval Regulations in Intercountry Adoption'' (RIN1400–AE39) received in the Office of the President of the Senate on September 9, 2024; to the Committee on Foreign Relations.

EC–5882. A communication from the Regulations Coordinator, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Food Additives Permitted in Feed and Drinking Water of Animals; Pichia Pastoris Dried Yeast'' (Docket No. FDA–2024–F–3882) received in the Office of the President of the Senate on September 10, 2024; to the Committee on Health, Education, Labor, and Pensions.

EC–5883. A communication from the Regulations Coordinator, Office of Population Affairs, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Public Health Policies on Research Misconduct'' (RIN0937–AA12) received during in the Office of the President of the Senate on September 10, 2024; to the Committee on Health, Education, Labor, and Pensions.

EC–5884. A communication from the Regulations Coordinator, Centers for Disease Control and Prevention, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''World Trade Center (WTC) Health Program; Expanded Eligibility for Pentagon and Shanksville, Pennsylvania Responders'' (RIN0920–AA86) received in the Office of the President of the Senate on September 10, 2024; to the Committee on Health, Education, Labor, and Pensions.

EC–5885. A communication from the Chair, National Endowment for the Arts, transmitting, pursuant to law, the Endowment's fiscal year 2023 Federal Activities Inventory Reform (FAIR) Act submission of its commercial and inherently governmental activities; to the Committee on Homeland Security and Governmental Affairs.

EC–5886. A communication from the Director of the Regulatory Secretariat Division, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''General Services Administration Acquisition Regulation (GSAR); Updates to References to GSA Sustainable Leasing'' (RIN3090–AK82) received in the Office of the President of the Senate on September 9, 2024; to the Committee on Homeland Security and Governmental Affairs.

EC–5887. A communication from the Director of Acquisition Policy, General Services Administration, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Federal Acquisition Circular 2024–07, Introduction'' (FAC 2024–07) received in the Office of the President of the Senate on September 10, 2024; to the Committee on Homeland Security and Governmental Affairs.

EC–5888. A communication from the Secretary of Transportation, transmitting, pursuant to law, the Department's fiscal year 2023 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC–5889. A communication from the Director, Congressional, Legislative, and Intergovernmental Affairs, Federal Election Commission, transmitting, pursuant to law, the Commission's Congressional Budget Estimate Submission for fiscal year 2026; to the Committee on Rules and Administration.

EC–5890. A communication from the Senior Advisor for Oversight, Office of Regulation Policy and Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Veteran Readiness and Employment Program: Delegation of Concurrence for Entitlement Extensions'' (RIN2900–AS14) received in the Office of the President of the Senate on September 10, 2024; to the Committee on Veterans' Affairs.

EC–5891. A communication from the Senior Advisor for Oversight, Office of Regulation Policy and Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Bar to Approval'' (RIN2900–AQ99) received in the Office of the President of the Senate on September 10, 2024; to the Committee on Veterans' Affairs.

EC–5892. A communication from the Director of Rulemaking Operations, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Federal Motor Vehicle Safety Standards; Occupant Crash Protection'' (RIN2127–AL90) received in the Office of the President of the Senate on September 10, 2024; to the Committee on Commerce, Science, and Transportation.

EC–5893. A communication from the Director of Rulemaking Operations, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Record Retention Requirement'' (RIN2127–AL81) received in the Office of the President of the Senate on September 10, 2024; to the Committee on Commerce, Science, and Transportation.

EC–5894. A communication from the Attorney-Advisor, Office of General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy in the position of Administrator, Federal Motor Carrier Safety Administration, Department of Transportation, received in the Office of the President of the Senate on September 10, 2024; to the Committee on Commerce, Science, and Transportation.

EC–5895. A communication from the Branch Chief, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; 2024 Commercial Closure for Gag in the South Atlantic'' (RIN0648–XE065) received in the Office of the President of the Senate on September 9, 2024; to the Committee on Commerce, Science, and Transportation.

EC–5896. A communication from the Branch Chief, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Atlantic Highly Migratory Species;

Atlantic Bluefin Tuna Fisheries; Closure of the Angling Category Southern New England Area Trophy Fishery for 2023'' (RIN0648–XD039) received in the Office of the President of the Senate on September 9, 2024; to the Committee on Commerce, Science, and Transportation.

EC–5897. A communication from the Branch Chief, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone off Alaska; Longnose Skates in the Eastern Regulatory Area of the Gulf of Alaska'' (RIN0648–XD057) received in the Office of the President of the Senate on September 9, 2024; to the Committee on Commerce, Science, and Transportation.

EC–5898. A communication from the Biologist, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Taking of Marine Mammals Incidental to Commercial Fishing Operations; Amendment to the Atlantic Pelagic Longline Take Reduction Plan'' (RIN0648–BN14) received in the Office of the President of the Senate on September 9, 2024; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Ms. CANTWELL, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 3348. A bill to amend the Harmful Algal Blooms and Hypoxia Research and Control Act of 1998 to address harmful algal blooms, and for other purposes.

S. 4212. A bill to amend the Visit America Act to promote music tourism, and for other purposes.

S. 4343. A bill to establish and maintain a coordinated program within the National Oceanic and Atmospheric Administration that improves wildfire, fire weather, fire risk, and smoke related forecasting, detection, modeling, observations, and service delivery, and to address growing needs in the wildland-urban interface, and for other purposes.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. CORNYN (for himself, Mr. BLUMENTHAL, Mrs. BLACKBURN, Mr. DURBIN, Mr. HAWLEY, and Ms. KLOBUCHAR):

S. 5060. A bill to reauthorize the PROTECT Our Children Act of 2008, and for other purposes; to the Committee on the Judiciary.

By Ms. SMITH:

S. 5061. A bill to award career pathways innovation grants to local educational agencies and consortia of local educational agencies, to provide technical assistance within the Office of Career, Technical, and Adult Education to administer the grants and support the local educational agencies with the preparation of grant applications and management of grant funds, to amend the Higher Education Act of 1965 to support community college and industry partnerships, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

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

S. 5062. A bill to address sexual harassment and sexual assault of Bureau of Prisons staff in prisons, and for other purposes; to the Committee on the Judiciary.

By Mrs. SHAHEEN (for herself and Mr. CASSIDY):

S. 5063. A bill to require the Administrator of the Small Business Administration to establish a program to allow small business concerns to purchase certain commodities futures, and for other purposes; to the Committee on Small Business and Entrepreneurship.

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

S. 5064. A bill to amend title 46, United States Code, to require applicants for grants that propose to use digital infrastructure or a software component to certify the applicant has an approved security plan that addresses the cybersecurity risks of such digital infrastructure or software, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BOOKER:

S. 5065. A bill to amend the Elementary and Secondary Education Act of 1965 to authorize a grant program to support students who have epilepsy or a seizure disorder; to the Committee on Health, Education, Labor, and Pensions.

By Mr. PAUL:

S. 5066. A bill to require the approval of Congress for the President to impose duties on the importation of articles into the United States; to the Committee on Finance.

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

S. 5067. A bill to improve individual assistance provided by the Federal Emergency Management Agency, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. SULLIVAN:

S. 5068. A bill to amend title 10, United States Code, to modify the organization and authorities of the Assistant Secretaries of Defense with duties relating to industrial base policy and homeland defense; to the Committee on Armed Services.

By Mr. MERKLEY (for himself, Mrs. GILLIBRAND, Mr. WELCH, and Mrs. MURRAY):

S. 5069. A bill to amend title 18, United States Code, and title 39, United States Code, to provide the United States Postal Service the authority to mail alcoholic beverages, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

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

S. 5070. A bill to amend title XIX of the Social Security Act to remove certain age restrictions on Medicaid eligibility for working adults with disabilities; to the Committee on Finance.

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

S. 5071. A bill to amend the Housing Act of 1949 to permit certain grants to be used for accessory dwelling units, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. DURBIN:

S. 5072. A bill to amend the Animal Welfare Act to establish additional requirements for dealers, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

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

S. 5073. A bill to limit the use of funds for entities that care for unaccompanied alien children and have been identified as engaging in misconduct toward children; to the Committee on the Judiciary.

By Mr. SULLIVAN (for himself, Mr. WICKER, Mr. DAINES, Mr. TUBERVILLE, Mrs. BLACKBURN, Ms. ERNST, Mr. RICKETTS, Mr. BUDD, Mr. BRAUN, Mr. CASSIDY, Mr. RUBIO, Mr. GRASSLEY, Ms. MURKOWSKI, Mr. TILLIS, and Mrs. FISCHER):

S. 5074. A bill to require the Secretary of Veterans Affairs to provide to Congress quarterly briefings on budgetary shortfalls of the Department of Veterans Affairs and to prohibit the provision of bonuses to Department of Veterans Affairs employees in Senior Executive Service positions in fiscal years with budgetary shortfalls, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. PADILLA (for himself and Ms. BUTLER):

S. 5075. A bill to provide for the water quality restoration of the Tijuana River and the New River, and for other purposes; to the Committee on Environment and Public Works.

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

S. 5076. A bill to require periodic updates to the comprehensive strategy to promote Internet freedom and access to information in Iran, to authorize grants to support and develop programs in Iran that promote or expand an open, interoperable, reliable, and secure internet, and for other purposes; to the Committee on Foreign Relations.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. WYDEN (for himself, Mr. COONS, Mr. KING, Mr. BLUMENTHAL, Mr. PADILLA, Mr. WHITEHOUSE, Mr. CARDIN, Mr. KAINE, Ms. CANTWELL, Ms. BALDWIN, Mrs. SHAHEEN, Mr. WELCH, Mr. CASEY, Ms. STABENOW, Mr. FETTERMAN, Mr. DURBIN, Mr. BROWN, Mr. BOOKER, Ms. BUTLER, Ms. KLOBUCHAR, Mr. WARNER, Ms. HIRONO, Mr. REED, Mr. LUJÁN, Mr. MARKEY, Mr. VAN HOLLEN, Mr. SANDERS, Ms. SMITH, Mr. CARPER, and Mr. MERKLEY):

S. Res. 822. A resolution designating September 2024 as ''National Voting Rights Month''; to the Committee on the Judiciary.

By Ms. CORTEZ MASTO (for herself, Mr. CORNYN, Mr. CASSIDY, Ms. BALDWIN, Mr. BLUMENTHAL, Mr. BENNET, Mr. BOOKER, Ms. BUTLER, Mr. CARDIN, Ms. COLLINS, Ms. DUCKWORTH, Mr. DURBIN, Mr. HAGERTY, Mr. FETTERMAN, Mr. KAINE, Mr. KING, Mr. KELLY, Ms. KLOBUCHAR, Mr. HEINRICH, Mr. HICKENLOOPER, Ms. HIRONO, Mr. LUJÁN, Mr. MARKEY, Mr. OSSOFF, Mr. PADILLA, Mr. REED, Ms. ROSEN, Mr. SANDERS, Mr. SCHATZ, Ms. SINEMA, Mrs. SHAHEEN, Ms. STABENOW, Mr. VAN HOLLEN, Mr. WARNER, Ms. WARREN, Mr. WARNOCK, Mr. WYDEN, Ms. CANTWELL, Mr. HELMY, Mr. RUBIO, Mr. SCHUMER, Mr. COONS, Ms. SMITH, Ms. HASSAN, Mr. CASEY, and Mr. SCOTT of Florida):

S. Res. 823. A resolution recognizing Hispanic Heritage Month and celebrating the heritage and culture of Latinos in the United States and the immense contributions of Latinos to the United States; considered and agreed to.

ADDITIONAL COSPONSORS

S. 141

At the request of Mr. MORAN, the name of the Senator from Maryland (Mr. VAN HOLLEN) 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. 265

At the request of Mr. DURBIN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 265, a bill to reauthorize the rural emergency medical service training and equipment assistance program, and for other purposes.

S. 549

At the request of Ms. BALDWIN, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 549, a bill to require enforcement against misbranded milk alternatives.

S. 633

At the request of Mr. PADILLA, the name of the Senator from Arizona (Mr. KELLY) was added as a cosponsor of S. 633, a bill to award a Congressional Gold Medal to Everett Alvarez, Jr., in recognition of his service to the United States.

S. 652

At the request of Ms. MURKOWSKI, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 652, a bill to amend the Employee Retirement Income Security Act of 1974 to require a group health plan or health insurance coverage offered in connection with such a plan to provide an exceptions process for any medication step therapy protocol, and for other purposes.

S. 711

At the request of Mr. BUDD, the names of the Senator from Maine (Ms. COLLINS), the Senator from Massachusetts (Mr. MARKEY) and the Senator from Missouri (Mr. SCHMITT) were added as cosponsors of S. 711, a bill to require the Secretary of the Treasury to mint coins in commemoration of the invaluable service that working dogs provide to society.

S. 930

At the request of Ms. KLOBUCHAR, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 930, a bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide public safety officer benefits for exposure-related cancers, and for other purposes.

S. 956

At the request of Mr. KELLY, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. 956, a bill to amend title 10, United States Code, to improve dependent coverage under the TRICARE Young Adult Program.

S. 1206

At the request of Mr. BOOKER, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 1206, a bill to amend the Religious Freedom Restoration Act of 1993 to protect civil rights and otherwise prevent meaningful harm to third parties, and for other purposes.

S. 1474

At the request of Ms. KLOBUCHAR, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 1474, a bill to amend the Food and Nutrition Act of 2008 to establish a dairy nutrition incentive program, and for other purposes.

S. 1839

At the request of Ms. BALDWIN, the name of the Senator from New Mexico (Mr. LUJÁN) was added as a cosponsor of S. 1839, a bill to improve Federal population surveys by requiring the collection of voluntary, self-disclosed information on sexual orientation, gender identity, and variations in sex characteristics in certain surveys, and for other purposes.

S. 2311

At the request of Mr. PADILLA, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 2311, a bill to require the Secretary of the Treasury to mint coins in commemoration of the 2028 Olympic and Paralympic Games in Los Angeles, California.

S. 2315

At the request of Mr. CRAPO, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 2315, a bill to provide for the creation of the missing Armed Forces and civilian personnel Records Collection at the National Archives, to require the expeditious public transmission to the Archivist and public disclosure of missing Armed Forces and civilian personnel records, and for other purposes.

S. 2377

At the request of Ms. WARREN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 2377, a bill to amend title XVIII of the Social Security Act to improve coverage of audiology services under the Medicare program, and for other purposes.

S. 2801

At the request of Mrs. MURRAY, the name of the Senator from Arizona (Ms. SINEMA) 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. 3439

At the request of Mr. COONS, the names of the Senator from Indiana (Mr. YOUNG), the Senator from California (Mr. PADILLA), the Senator from Louisiana (Mr. CASSIDY) and the Senator from New Mexico (Mr. HEINRICH) were added as cosponsors of S. 3439, a bill to strengthen and enhance the competitiveness of cement, concrete, asphalt binder, and asphalt mixture production in the United States through the research, development, demonstration, and commercial application of technologies to reduce emissions from cement, concrete, asphalt binder, and asphalt mixture production, and for other purposes.

S. 3575

At the request of Mr. BRAUN, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 3575, a bill to amend the Public Health Service Act to give a preference, with respect to project grants for preventive health services, for States that allow all trained individuals to carry and administer epinephrine, and for other purposes.

S. 3751

At the request of Mr. OSSOFF, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 3751, a bill to expand and modify the grant program of the Department of Veterans Affairs to provide innovative transportation options to veterans in highly rural areas, and for other purposes.

S. 4075

At the request of Mr. HAGERTY, the name of the Senator from North Dakota (Mr. CRAMER) was added as a cosponsor of S. 4075, a bill to prohibit payment card networks and covered entities from requiring the use of or assigning merchant category codes that distinguish a firearms retailer from a general merchandise retailer or sporting goods retailer, and for other purposes.

S. 4163

At the request of Mr. RISCH, the name of the Senator from Mississippi (Mrs. HYDE-SMITH) was added as a cosponsor of S. 4163, a bill to require a report on the United States supply of nitrocellulose.

S. 4425

At the request of Mrs. SHAHEEN, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 4425, a bill to support democracy and the rule of law in Georgia, and for other purposes.

S. 4503

At the request of Ms. WARREN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 4503, a bill to prevent exploitative private equity practices, and for other purposes.

S. 4510

At the request of Mrs. BLACKBURN, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 4510, a bill to amend the American Taxpayer Relief Act of 2012 to delay implementation of the inclusion of oral-only ESRD-related drugs in the Medicare ESRD prospective payment system.

S. 4815

At the request of Mr. ROMNEY, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 4815, a bill to prohibit the mass cancellation of student loans.

S. 4888

At the request of Mr. WELCH, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S.

4888, a bill to include Czechia in the list of foreign states whose nationals are eligible for admission into the United States as E–1 nonimmigrants if United States nationals are treated similarly by the Government of Czechia.

S. 5021

At the request of Mr. WELCH, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 5021, a bill to ensure the accessibility of drugs furnished through the drug discount program under section 340B of the Public Health Service Act.

S. 5051

At the request of Mr. FETTERMAN, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 5051, a bill to amend the National Trails System Act to direct the Secretary of the Interior to conduct a study on the feasibility of designating Washington's Trail—1753 as a national historic trail, and for other purposes.

S.J. RES. 103

At the request of Mrs. BLACKBURN, the names of the Senator from Idaho (Mr. CRAPO), the Senator from Nebraska (Mr. RICKETTS) and the Senator from Alabama (Mrs. BRITT) were added as cosponsors of S.J. Res. 103, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Federal Communications Commission relating to ''Safeguarding and Securing the Open Internet; Restoring Internet Freedom''.

S. RES. 669

At the request of Mrs. BLACKBURN, the names of the Senator from Utah (Mr. ROMNEY) and the Senator from West Virginia (Mrs. CAPITO) were added as cosponsors of S. Res. 669, a resolution designating October 10, 2024, as ''American Girls in Sports Day''.

S. RES. 821

At the request of Mr. REED, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. Res. 821, a resolution expressing support for designation of the week of September 15 through 21, 2024, as ''National Adult Education and Family Literacy Week''.

AMENDMENT NO. 2880

At the request of Mr. MULLIN, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of amendment No. 2880 intended to be proposed to S. 4638, a bill to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DURBIN:

S. 5072. A bill to amend the Animal Welfare Act to establish additional requirements for dealers, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

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

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

S. 5072

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 ''Puppy Protection Act of 2024''.

SEC. 2. ADDITIONAL REQUIREMENTS FOR DEALERS.

(a) HUMANE TREATMENT OF DOGS BY DEALERS.—Section 13(a) of the Animal Welfare Act (7 U.S.C. 2143(a)) is amended by adding at the end the following:

''(9) In addition to the requirements under paragraph (2), the standards described in paragraph (1) shall, with respect to dealers, include requirements—

''(A) that the dealer provide adequate housing for dogs that includes—

''(i) completely solid flooring;

''(ii) indoor space sufficient to allow the tallest dog in an enclosure to stand on his or her hind legs without touching the roof of the enclosure;

''(iii) with respect to dogs over 8 weeks in age, primary enclosures that, with the length of the dog measured from the tip of the nose to the base of the tail, provide at least—

''(I) 12 square feet of indoor floor space per each dog measuring not more than 25 inches long;

''(II) 20 square feet of indoor floor space per each dog measuring more than 25 but less than 35 inches long; and

''(III) 30 square feet of indoor floor space per each dog measuring not less than 35 inches long;

''(iv) enclosures that are not stacked or otherwise placed on top of or below another enclosure; and

''(v) temperature control that—

''(I) is appropriate for the age, breed, and condition of each dog in the enclosure; and

''(II) is between 45 and 85 degrees Fahrenheit, when dogs are present in the enclosure;

''(B) that appropriate and nutritious food be provided to each dog at least twice per day, in an amount sufficient to maintain the good health and physical condition of each dog;

''(C) that each dog has continuous access to potable water that is not frozen and is free of feces, algae, and other contaminants;

''(D) that each dog has adequate exercise, including, for each dog over the age of 12 weeks—

''(i) except as provided in clause (ii), unrestricted access from the primary enclosure of the dog during daylight hours to an outdoor exercise area that—

''(I) is at ground-level;

''(II) is a solid surface;

''(III) is enclosed by a fence or other structure;

''(IV) is properly controlled for the safety of the dog; and

''(V) allows the dog to extend to full stride, play, and engage in other types of mentally stimulating and social behaviors; or

''(ii) if the dealer obtains a certification from the attending veterinarian stating that a dog should not have unrestricted access to an outdoor exercise area for a specific medical reason, an alternative exercise plan prescribed by the veterinarian for the dog that meets the applicable requirements under section 3.8 of title 9, Code of Federal Regulations (or successor regulations);

''(E) that each dog has meaningful socialization with humans and compatible dogs for at least 30 minutes each day that—

''(i) includes positive interaction with a human such as petting, stroking, grooming, feeding, playing with, exercising, or other touching of the dog that is beneficial to the well-being of the dog; and

''(ii) does not include time spent in veterinary care;

''(F) that each dog receives adequate veterinary care, including—

''(i) prompt treatment of any disease, illness, or injury by a licensed veterinarian;

''(ii) a thorough, hands-on examination by a licensed veterinarian at least once each year, which shall include a dental exam;

''(iii) core vaccinations recommended by the latest version of the American Animal Hospital Association Canine Vaccination Guidelines; and

''(iv) medications to prevent intestinal parasites, heartworm disease, fleas, and ticks that are approved by a licensed veterinarian for canine use;

''(G) with respect to safe breeding practices for dogs, including—

''(i) a screening program for known prevalent inheritable diseases that may be disabling or likely to significantly affect the lifespan or quality of life of the mother or the offspring;

''(ii) prohibiting breeding, unless each dog bred—

''(I) has been screened by a licensed veterinarian prior to each attempt to breed; and

''(II) is found in the screening under subclause (I) to be free from health conditions that may be disabling to, or likely to significantly affect the lifespan or quality of life of, the mother or the offspring;

''(iii) prohibiting the breeding of a female dog to produce—

''(I) more than 2 litters in any 18-month period; or

''(II) more than 6 litters during the lifetime of the dog;

''(iv) that a female dog of any small breed (having a maximum weight range at maturity that is less than 40 pounds) not be bred—

''(I) before reaching the age of 18 months; or

''(II) after reaching the age of 9 years;

''(v) that a female dog of any large breed (having an expected weight range at maturity that includes 40 or more pounds) not be bred—

''(I) before reaching the age of 2 years; or

''(II) after reaching the age of 7 years; and

''(vi) that any canine caesarian section be performed by a licensed veterinarian;

''(H) that dogs be housed with other dogs, unless health or behavioral issues make group housing unsafe; and

''(I) to make all reasonable efforts to find humane placement for retired breeding dogs—

''(i) such as with an adoptive family, rescue organization, or other appropriate owner for that dog; and

''(ii) not including selling at auction or otherwise placing a retired breeding dog with another breeder for breeding purposes.''.

(b) CONFORMING AMENDMENT.—Section 13(a)(2)(B) of the Animal Welfare Act (7 U.S.C. 2143(a)(2)(B)) is amended by inserting ''subject to paragraph (9),'' before ''for exercise of dogs''.

(c) REGULATIONS.—Not later than 18 months after the date of enactment of this Act, the Secretary shall issue final regulations establishing the standards for the care

of dogs by dealers, as required by this section and the amendments made by this section.

By Mr. PADILLA (for himself and Ms. BUTLER):

S. 5075. A bill to provide for the water quality restoration of the Tijuana River and the New River, and for other purposes; to the Committee on Environment and Public Works.

Mr. PADILLA. Mr. President, I rise to introduce the Border Water Quality Restoration and Protection Act. This bill aims to reduce pollution along the U.S.-Mexico border and improve water quality of the Tijuana River and New River.

The bill would designate the Environmental Protection Agency as the lead Agency to coordinate all Federal, State, Tribal, and local agencies to build and maintain needed infrastructure projects to decrease pollution along the border.

The Tijuana River watershed is in the midst of an environmental crisis, as stormwater flows from the upper watershed, originating in Tijuana, Mexico, and carries pollutants such as bacteria, trash, and sediment that severely affect water quality.

In just the last 5 years, more than 100 billion gallons of toxic sewage, trash, and unmanaged stormwater has flowed across the United States-Mexico border into the Tijuana River Valley and neighboring communities, forcing long-lasting beach closures and creating significant negative impacts on water quality, public health, and the environment.

This transboundary pollution crisis has disproportionately harmed underserved communities along San Diego's southern border for decades. U.S. military personnel, Border Patrol agents, and the local environment and economy have also suffered harmful impacts from waterborne and airborne transboundary sewage flows.

This bill will build upon the past several years of work I have undertaken alongside the late Senator FEINSTEIN to bolster the resources of the Environmental Protection Agency and the International Boundary and Water Commission to repair, rehabilitate, and expand the South Bay International Wastewater Treatment Plant, including securing $300 million in the U.S.-Mexico-Canada Agreement and more than $100 million through fiscal year 2024 appropriations legislation.

Establishing a program for the Tijuana and New Rivers is critical for the EPA to integrate and coordinate water quality restoration and protection activities by stakeholders across the region and will facilitate better coordination by Federal, State, Tribal, local, public, nonprofit, and other relevant stakeholders.

California communities have suffered the impacts of transboundary sewage for too long, and this legislation will facilitate long-awaited solutions to manage stormwater flows to reduce negative impacts to nearby communities and the regional economy and restore water quality and ecosystems throughout these watersheds.

I want to thank my colleagues, especially Congressman JUAN VARGAS, for introducing this bill with me. I hope my colleagues will join me to pass the Border Water Quality Restoration and Protection Act to address this public health and environmental crisis.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 822—DESIGNATING SEPTEMBER 2024 AS ''NATIONAL VOTING RIGHTS MONTH''

Mr. WYDEN (for himself, Mr. COONS, Mr. KING, Mr. BLUMENTHAL, Mr. PADILLA, Mr. WHITEHOUSE, Mr. CARDIN, Mr. KAINE, Ms. CANTWELL, Ms. BALDWIN, Mrs. SHAHEEN, Mr. WELCH, Mr. CASEY, Ms. STABENOW, Mr. FETTERMAN, Mr. DURBIN, Mr. BROWN, Mr. BOOKER, Ms. BUTLER, Ms. KLOBUCHAR, Mr. WARNER, Ms. HIRONO, Mr. REED, Mr. LUJÁN, Mr. MARKEY, Mr. VAN HOLLEN, Mr. SANDERS, Ms. SMITH, Mr. CARPER, and Mr. MERKLEY) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 822

Whereas voting is 1 of the single most important rights that can be exercised in a democracy;

Whereas, over the course of history, various voter suppression laws in the United States have hindered, and even prohibited, certain individuals and groups from exercising the right to vote;

Whereas, during the 19th and early 20th centuries, Native Americans and people who were born to United States citizens abroad, people who spoke a language other than English, and people who were formerly subjected to slavery were denied full citizenship and prevented from voting by English literacy tests;

Whereas, since the 1870s, minority groups such as Black Americans in the South have suffered from the oppressive effects of Jim Crow laws that were designed to prevent political, economic, and social mobility;

Whereas Black Americans, Latinos, Asian Americans, Native Americans, and other underrepresented voters were subject to violence, poll taxes, literacy tests, all-White primaries, property ownership tests, and grandfather clauses that were designed to suppress the right of those underrepresented individuals to vote;

Whereas, as of 2022, 4,400,000 people in the United States were disenfranchised from voting because of a felony conviction, including 1 in 16 Black adults, due to the shameful entanglement of racial injustice in the criminal legal system and voting access in the United States;

Whereas members of the aforementioned groups and others are currently, in some cases, subject to intimidation, voter roll purges, and financial barriers that act effectively as modern-day poll taxes;

Whereas, in 1965, Congress passed the Voting Rights Act of 1965 (52 U.S.C. 10301 et seq.) to protect the right of Black Americans and other traditionally disenfranchised groups to vote, among other reasons;

Whereas, in 2013, in the landmark case of Shelby County v. Holder, 570 U.S. 529 (2013), the Supreme Court of the United States invalidated section 4 of the Voting Rights Act of 1965 (52 U.S.C. 10303), dismantling the preclearance formula provision in that Act that protected voters in States and localities that historically have suppressed the right of minorities to vote;

Whereas, since the invalidation of the preclearance formula provision of the Voting Rights Act of 1965 (52 U.S.C. 10301 et seq.), gerrymandered districts in many States have gone unchallenged and have become less likely to be invalidated by the courts;

Whereas gerrymandered districts in many States have been found to have a discriminatory impact on traditionally disenfranchised minorities through tactics that include ''cracking'', diluting the voting power of minorities across many districts, and ''packing'', concentrating the power of minority voters into 1 district to reduce their voting power in other districts;

Whereas the courts have found the congressional and, in some cases, State legislative district maps in Texas, North Carolina, Florida, Pennsylvania, Ohio, Wisconsin, Alabama, and Louisiana to be gerrymandered districts that were created to favor some groups over others;

Whereas these restrictive voting laws encompass cutbacks in early voting, voter roll purges, placement of faulty equipment in minority communities, requirement of photo identification, and the elimination of same-day registration;

Whereas these policies could outright disenfranchise or make voting much more difficult for more than 80,000,000 minority, elderly, poor, and disabled voters, among other groups;

Whereas, in 2016, discriminatory laws in North Carolina, Wisconsin, North Dakota, and Texas were ruled to violate the rights of voters and were overturned by the courts;

Whereas the decision of the Supreme Court of the United States in Shelby County v. Holder, 570 U.S. 529 (2013), calls on Congress to update the formula in the Voting Rights Act of 1965 (52 U.S.C. 10301 et seq.);

Whereas addressing the challenges of administering future elections requires increasing the accessibility of vote-by-mail and other limited-contact options to ensure access to the ballot and the protection of the health and safety of voters, and access to the ballot amid a global pandemic like the Coronavirus Disease 2019 public health emergency;

Whereas Congress must work to combat any attempts to dismantle or underfund the United States Postal Service or obstruct the passage of the mail as blatant tactics of voter suppression and election interference;

Whereas following the 2020 elections there has been a relentless attack on the right to vote with more than 400 bills having been introduced to roll back the right to vote, including such bills being introduced in almost every State and at least 44 of such bills having been signed into law in 18 States;

Whereas there is much more work to be done to ensure all citizens of the United States have the right to vote through free, fair, and accessible elections, and Congress must exercise its constitutional authority to protect the right to vote;

Whereas National Voter Registration Day in 2024 is Tuesday, September 17; and

Whereas September 2024 would be an appropriate month—

(1) to designate as ''National Voting Rights Month''; and

(2) to ensure that, through the registration of voters and awareness of elections, the democracy of the United States includes all citizens of the United States: Now, therefore, be it

Resolved, That the Senate—

(1) designates September 2024 as ''National Voting Rights Month'';

(2) encourages all people in the United States to uphold the right of every citizen to exercise the sacred and fundamental right to vote;

(3) encourages Congress to pass—

(A) the Freedom to Vote Act (S. 1, H. R. 11, 118th Congress), to set basic national standards to make sure all people in the United States can cast their ballots in the way that works best for them, regardless of what ZIP code they live in, improve access to the ballot for people in the United States, advance commonsense election integrity reforms, and protect the democracy of the United States from relentless attacks;

(B) the Democracy Restoration Act of 2023 (S. 1677, H. R. 4987, 118th Congress), to restore Federal voting rights to citizens after release from imprisonment, honoring the responsibilities of citizenship and civic engagement necessary for building healthy and safe communities, while welcoming the contributions of people returning home after imprisonment; and

(C) other voting rights legislation that seeks to advance voting rights and protect elections in the United States;

(4) recommends that public schools and universities in the United States develop an academic curriculum that educates students about—

(A) the importance of voting, how to register to vote, where to vote, and the different forms of voting;

(B) the history of voter suppression in the United States before and after passage of the Voting Rights Act of 1965 (52 U.S.C. 10301 et seq.); and

(C) current measures that have been taken to restrict the vote;

(5) expresses appreciation for the United States Postal Service having issued a special Representative John R. Lewis stamp—

(A) to honor the life and legacy of Representative John R. Lewis in supporting voting rights; and

(B) to remind people in the United States that ordinary citizens risked their lives, marched, and participated in the great democracy of the United States so that all citizens would have the fundamental right to vote; and

(6) invites Congress to allocate the requisite funds for public service announcements on television, radio, newspapers, magazines, social media, billboards, buses, and other forms of media—

(A) to remind people in the United States when elections are being held;

(B) to share important registration deadlines; and

(C) to urge people to get out and vote.

SENATE RESOLUTION 823—RECOGNIZING HISPANIC HERITAGE MONTH AND CELEBRATING THE HERITAGE AND CULTURE OF LATINOS IN THE UNITED STATES AND THE IMMENSE CONTRIBUTIONS OF LATINOS TO THE UNITED STATES

Ms. CORTEZ MASTO (for herself, Mr. CORNYN, Mr. CASSIDY, Ms. BALDWIN, Mr. BLUMENTHAL, Mr. BENNET, Mr. BOOKER, Ms. BUTLER, Mr. CARDIN, Ms. COLLINS, Ms. DUCKWORTH, Mr. DURBIN, Mr. HAGERTY, Mr. FETTERMAN, Mr. KAINE, Mr. KING, Mr. KELLY, Ms. KLOBUCHAR, Mr. HEINRICH, Mr. HICKENLOOPER, Ms. HIRONO, Mr. LUJÁN, Mr. MARKEY, Mr. OSSOFF, Mr. PADILLA, Mr. REED, Ms. ROSEN, Mr. SANDERS, Mr. SCHATZ, Ms. SINEMA, Mrs. SHAHEEN, Ms. STABENOW, Mr. VAN HOLLEN, Mr. WARNER, Ms. WARREN, Mr. WARNOCK, Mr. WYDEN, Ms. CANTWELL, Mr. HELMY, Mr. RUBIO, Mr. SCHUMER, Mr. COONS, Ms. SMITH, Ms. HASSAN, Mr. CASEY, and Mr. SCOTT of Florida) submitted the following resolution; which was considered and agreed to:

S. RES. 823

Whereas, from September 15, 2024, through October 15, 2024, the United States celebrates Hispanic Heritage Month;

Whereas the Bureau of the Census estimates the Hispanic population living in the 50 States at more than 65,000,000 people, plus more than 3,200,000 people living in the Commonwealth of Puerto Rico, making Hispanic Americans approximately 19.5 percent or ⅕ of the total population of the United States and the largest racial or ethnic minority group in the United States;

Whereas, in 2023, there were 1,000,000 or more Hispanic residents in the Commonwealth of Puerto Rico and in each of the States of Arizona, California, Colorado, Florida, Georgia, Illinois, New Jersey, New Mexico, New York, North Carolina, Pennsylvania, Texas, and Washington;

Whereas, from 2022 to 2024, the Latino population in the United States grew by 1.8 percent or 1,200,000 residents;

Whereas, from 2010 to 2022, Latinos grew the population of the United States by 13,080,000 individuals, accounting for more than ½ of the total population growth of the United States during that period;

Whereas the Latino population in the United States is projected to increase by nearly 8 percent by 2060;

Whereas, in 2020, approximately 18,800,000 children, or 25 percent of all children, in the United States were Hispanic;

Whereas 28 percent of public school students in the United States are Latino, and 9 percent of kindergarten through 12th grade teachers are Latino;

Whereas, since 2010, the share of Hispanic adults with at least some college education has increased by 9 percent;

Whereas approximately 3,800,000 Hispanic students are enrolled in higher education, and enrollment of Hispanic students is expected to exceed 4,300,000 by 2026;

Whereas an estimated 36,200,000 Latinos are eligible to vote in the 2024 Presidential election, increasing the eligible Hispanic voters from the 2020 Presidential election by 12 percent and representing 14.7 percent of the electorate in the United States;

Whereas approximately 1 in every 5 Hispanic voters are expected to vote in their first presidential election in November 2024;

Whereas, as of 2024, each year approximately 1,400,000 Latino citizens of the United States become eligible to vote;

Whereas it is estimated that 77,247,271 Hispanics will be 18 years of age or older, thus eligible to vote, by 2060;

Whereas it is estimated that, as of 2023, the purchasing power of Hispanic Americans is $3,400,000,000,000;

Whereas, measured by gross domestic product, the economy of Latinos in the United States ranks as the fifth largest in the world;

Whereas, as of 2023, Latino-owned businesses have created nearly ⅔ of all new jobs in the United States and contribute more than $100,000,000,000 in annual payroll;

Whereas, in 2021, Latinas in the United States contributed approximately $1,300,000,000,000 to the gross domestic product;

Whereas there are approximately 5,000,000 Hispanic-owned businesses in the United States, supporting millions of employees nationwide and contributing more than $800,000,000,000 in revenue to the economy of the United States;

Whereas, between 2007 and 2020, the number of Hispanic-owned businesses grew by 34 percent, representing the fastest growing segment of small businesses in the United States;

Whereas, as of 2023, Latino workers represented approximately 19.1 percent of the total civilian labor force of the United States, and, as a result of Latinos experiencing the fastest population growth of all race and ethnicity groups in the United States, the rate of Latino participation in the labor force is expected to grow;

Whereas, as of 2024, 67.5 percent of all Latinos in the United States participate in the labor force;

Whereas, as of 2024, 6.3 percent of chief executives in the United States are Latino, 9.7 percent of lawyers are Latino, 2.5 percent of postsecondary teachers are Latino, and 11.4 percent of civil engineers are Latino, all who contribute to the United States through their professions;

Whereas Hispanic Americans serve in all branches of the Armed Forces and have fought bravely in every war in the history of the United States since the American Revolution;

Whereas, as of 2024—

(1) more than 257,842 Hispanic members of the Armed Forces serve on active duty; and

(2) there are approximately 1,336,206 Hispanic veterans of the Armed Forces, including approximately 163,264 Latinas;

Whereas, in the Korean war, the 65th Infantry Regiment of the Commonwealth of Puerto Rico, known as the ''Borinqueneers'', was the only active duty, segregated Latino military unit in the history of the United States and earned more than 2,700 Purple Hearts, 9 Distinguished Service Crosses, and a Congressional Gold Medal for their service;

Whereas 59 Hispanic Americans have received the Congressional Medal of Honor, the highest award for valor in action against an enemy force bestowed on an individual serving in the Armed Forces;

Whereas, in 2020, Congress established the National Museum of the American Latino, which, when complete, will display the achievements, diversity, and legacy of the Hispanic community in the United States;

Whereas Hispanic Americans are dedicated public servants, holding posts at the highest levels of the Government of the United States, including 1 seat on the Supreme Court, 5 seats in the Senate, and 56 seats in the House of Representatives; and

Whereas Hispanic Americans harbor a deep commitment to family and community, an enduring work ethic, and a perseverance to succeed and contribute to society: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the celebration of Hispanic Heritage Month from September 15, 2024, through October 15, 2024;

(2) esteems the integral role of Latinos and the manifold heritages of Latinos in the economy, culture, and identity of the United States; and

(3) urges the people of the United States to observe Hispanic Heritage Month with appropriate programs and activities that celebrate the contributions of Latinos to the United States.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3283. Mr. CRAPO (for himself and Mrs. SHAHEEN) submitted an amendment intended to be proposed by him to the bill S. 4638, to

authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 3284. Mr. CORNYN (for himself, Mr. CASEY, and Mr. SULLIVAN) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3283. Mr. CRAPO (for himself and Mrs. SHAHEEN) submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

Subtitle I—Bring Our Heroes Home Act

SEC. 1096. SHORT TITLE.

This subtitle may be cited as the ''Bring Our Heroes Home Act''.

SEC. 1097. FINDINGS, DECLARATIONS, AND PURPOSES.

(a) FINDINGS AND DECLARATIONS.—Congress finds and declares the following:

(1) A vast number of records relating to missing Armed Forces and civilian personnel have not been identified, located, or transferred to the National Archives following review and declassification. Only in the rarest cases is there any legitimate need for continued protection of records pertaining to missing Armed Forces and civilian personnel who have been missing for decades.

(2) There has been insufficient priority placed on identifying, locating, reviewing, or declassifying records relating to missing Armed Forces and civilian personnel and then transferring the records to the National Archives for public access.

(3) Mandates for declassification set forth in multiple Executive orders have been broadly written, loosely interpreted, and often ignored by Federal agencies in possession and control of records related to missing Armed Forces and civilian personnel.

(4) No individual or entity has been tasked with oversight of the identification, collection, review, and declassification of records related to missing Armed Forces and civilian personnel.

(5) The interest, desire, workforce, and funding of Federal agencies to assemble, review, and declassify records relating to missing Armed Forces and civilian personnel have been lacking.

(6) All records of the Federal Government relating to missing Armed Forces and civilian personnel should be preserved for historical and governmental purposes and for public research.

(7) All records of the Federal Government relating to missing Armed Forces and civilian personnel should carry a presumption of declassification, and all such records should be disclosed under this subtitle to enable the fullest possible accounting for missing Armed Forces and civilian personnel.

(8) Legislation is necessary to create an enforceable, independent, and accountable process for the public disclosure of records relating to missing Armed Forces and civilian personnel.

(9) Legislation is necessary because section 552 of title 5, United States Code (commonly known as the ''Freedom of Information Act''), as implemented by Federal agencies, has prevented the timely public disclosure of records relating to missing Armed Forces and civilian personnel.

(b) PURPOSES.—The purposes of this subtitle are—

(1) to provide for the creation of the Missing Armed Forces and Civilian Personnel Records Collection at the National Archives; and

(2) to require the expeditious public transmission to the Archivist and public disclosure of missing Armed Forces and civilian personnel records, subject to narrow exceptions, as set forth in this subtitle.

SEC. 1098. DEFINITIONS.

In this subtitle:

(1) ARCHIVIST.—The term ''Archivist'' means Archivist of the United States.

(2) COLLECTION.—The term ''Collection'' means the Missing Armed Forces and Civilian Personnel Records Collection established under section 1099(a).

(3) DIRECTOR.—The term ''Director'' means the Director of the Office of Government Ethics.

(4) EXECUTIVE AGENCY.—The term ''Executive agency''—

(A) means an agency, as defined in section 552(f) of title 5, United States Code;

(B) includes any Executive department, military department, Government corporation, Government controlled corporation, or other establishment in the executive branch of the Federal Government, including the Executive Office of the President, any branch of the Armed Forces, and any independent regulatory agency; and

(C) does not include any non-appropriated agency, department, corporation, or establishment.

(5) EXECUTIVE BRANCH MISSING ARMED FORCES AND CIVILIAN PERSONNEL RECORD.—The term ''executive branch missing Armed Forces and civilian personnel record'' means a missing Armed Forces and civilian personnel record of an Executive agency, or information contained in such a missing Armed Forces and civilian personnel record obtained by or developed within the executive branch of the Federal Government.

(6) GOVERNMENT OFFICE.—The term ''Government office'' means an Executive agency, the Library of Congress, or the National Archives.

(7) MISSING ARMED FORCES AND CIVILIAN PERSONNEL.—

(A) DEFINITION.—The term ''missing Armed Forces and civilian personnel'' means one or more missing persons; and

(B) INCLUSIONS.—The term ''missing Armed Forces and civilian personnel'' includes an individual who was a missing person and whose status was later changed to ''missing and presumed dead''.

(8) MISSING ARMED FORCES AND CIVILIAN PERSONNEL RECORD.—The term ''missing Armed Forces and civilian personnel record'' means a record that relates, directly or indirectly, to the loss, fate, or status of missing Armed Forces and civilian personnel that—

(A) was created or made available for use by, obtained by, or otherwise came into the custody, possession, or control of—

(i) any Government office;

(ii) any Presidential library; or

(iii) any of the Armed Forces; and

(B) relates to 1 or more missing Armed Forces and civilian personnel who became missing persons during the period—

(i) beginning on December 7, 1941; and

(ii) ending on the date of enactment of this Act.

(9) MISSING PERSON.—The term ''missing person'' means—

(A) a person described in paragraph (1) of section 1513 of title 10, United States Code; and

(B) any other civilian employee of the Federal Government or an employee of a contractor of the Federal Government who serves in direct support of, or accompanies, the Armed Forces in the field under orders and who is in a missing status (as that term is defined in paragraph (2) of such section 1513).

(10) NATIONAL ARCHIVES.—The term ''National Archives''—

(A) means the National Archives and Records Administration; and

(B) includes any component of the National Archives and Records Administration (including Presidential archival depositories established under section 2112 of title 44, United States Code).

(11) OFFICIAL INVESTIGATION.—The term ''official investigation'' means a review, briefing, inquiry, or hearing relating to missing Armed Forces and civilian personnel conducted by a Presidential commission, committee of Congress, or agency, regardless of whether it is conducted independently, at the request of any Presidential commission or committee of Congress, or at the request of any official of the Federal Government.

(12) ORIGINATING BODY.—The term ''originating body'' means the Government office or other initial source that created a record or particular information within a record.

(13) PUBLIC INTEREST.—The term ''public interest'' means the compelling interest in the prompt public disclosure of missing Armed Forces and civilian personnel records for historical and governmental purposes, for public research, and for the purpose of fully informing the people of the United States, most importantly families of missing Armed Forces and civilian personnel, about the fate of the missing Armed Forces and civilian personnel and the process by which the Federal Government has sought to account for them.

(14) RECORD.—The term ''record'' has the meaning given the term ''records'' in section 3301 of title 44, United States Code.

(15) REVIEW BOARD.—The term ''Review Board'' means the Missing Armed Forces and Civilian Personnel Records Review Board established under section 1099C.

SEC. 1099. MISSING ARMED FORCES AND CIVILIAN PERSONNEL RECORDS COLLECTION AT THE NATIONAL ARCHIVES.

(a) ESTABLISHMENT OF COLLECTION.—Not later than 90 days after a quorum of the Missing Armed Forces and Civilian Personnel Records Review Board has been established under section 1099C, the Archivist shall—

(1) commence establishment of a collection of records to be known as the ''Missing Armed Forces and Civilian Personnel Records Collection'';

(2) commence preparing the subject guidebook and index to the Collection; and

(3) establish criteria and acceptable formats for Executive agencies to follow when transmitting copies of missing Armed Forces and civilian personnel records to the Archivist, to include required metadata.

(b) REGULATIONS.—Not later than 90 days after the date of the swearing in of the Board members, the Review Board shall promulgate rules to establish guidelines and processes for the disclosure of records contained in the Collection.

(c) OVERSIGHT.—

(1) SENATE.—The Committee on Homeland Security and Governmental Affairs of the Senate shall have continuing jurisdiction, including legislative oversight jurisdiction, in the Senate with respect to the Collection.

(2) HOUSE OF REPRESENTATIVES.—The Committee on Oversight and Accountability of

the House of Representatives shall have continuing jurisdiction, including legislative oversight jurisdiction, in the House of Representatives with respect to the Collection.

SEC. 1099A. REVIEW, IDENTIFICATION, TRANSMISSION TO THE NATIONAL ARCHIVES, AND PUBLIC DISCLOSURE OF MISSING ARMED FORCES AND CIVILIAN PERSONNEL RECORDS BY GOVERNMENT OFFICES.

(a) IN GENERAL.—

(1) PREPARATION.—As soon as practicable after the date of enactment of this Act, and sufficiently in advance of the deadlines established under this subtitle, each Government office shall—

(A) identify and locate any missing Armed Forces and civilian personnel records in the custody, possession, or control of the Government office, including intelligence reports, congressional inquiries, memoranda to or from the White House and other Federal departments and agencies, Prisoner of War (POW) debriefings, live sighting reports, documents relating to POW camps, movement of POWs, exploitation of POWs, experimentation on POWs, or status changes from Missing in Action (MIA) to Killed in Action (KIA); and

(B) prepare for transmission to the Archivist in accordance with the criteria and acceptable formats established by the Archivist a copy of any missing Armed Forces and civilian personnel records that have not previously been transmitted to the Archivist by the Government office.

(2) CERTIFICATION.—Each Government office shall submit to the Archivist, under penalty of perjury, a certification indicating—

(A) whether the Government office has conducted a thorough search for all missing Armed Forces and civilian personnel records in the custody, possession, or control of the Government office; and

(B) whether a copy of any missing Armed Forces and civilian personnel record has not been transmitted to the Archivist.

(3) PRESERVATION.—No missing Armed Forces and civilian personnel record shall be destroyed, altered, or mutilated in any way.

(4) EFFECT OF PREVIOUS DISCLOSURE.—Information that was made available or disclosed to the public before the date of enactment of this Act in a missing Armed Forces and civilian personnel record may not be withheld, redacted, postponed for public disclosure, or reclassified.

(5) WITHHELD AND SUBSTANTIALLY REDACTED RECORDS.—For any missing Armed Forces and civilian personnel record that is transmitted to the Archivist which a Government office proposes to substantially redact or withhold in full from public access, the head of the Government office shall submit an unclassified and publicly releasable report to the Archivist, the Review Board, and each appropriate committee of the Senate and the House of Representatives justifying the decision of the Government office to substantially redact or withhold the record by demonstrating that the release of information would clearly and demonstrably be expected to cause an articulated harm, and that the harm would be of such gravity as to outweigh the public interest in access to the information.

(b) REVIEW.—

(1) IN GENERAL.—Except as provided under paragraph (5), not later than 180 days after a quorum of the Missing Armed Forces and Civilian Personnel Records Review Board has been established under section 1099C, each Government office shall, in accordance with the criteria and acceptable formats established by the Archivist—

(A) identify, locate, copy, and review each missing Armed Forces and civilian personnel record in the custody, possession, or control of the Government office for transmission to the Archivist and disclosure to the public or, if needed, review by the Review Board; and

(B) cooperate fully, in consultation with the Archivist, in carrying out paragraph (3).

(2) REQUIREMENT.—The Review Board shall promulgate rules for the disclosure of relevant records by Government offices under paragraph (1).

(3) NATIONAL ARCHIVES RECORDS.—Not later than 180 days after a quorum of the Missing Armed Forces and Civilian Personnel Records Review Board has been established under section 1099C, the Archivist shall—

(A) locate and identify all missing Armed Forces and civilian personnel records in the custody of the National Archives as of the date of enactment of this Act that remain classified, in whole or in part;

(B) notify a Government office if the Archivist locates and identifies a record of the Government office under subparagraph (A); and

(C) make each classified missing Armed Forces and civilian personnel record located and identified under subparagraph (A) available for review by Executive agencies through the National Declassification Center established under Executive Order 13526 or any successor order.

(4) RECORDS ALREADY PUBLIC.—A missing Armed Forces and civilian personnel record that is in the custody of the National Archives on the date of enactment of this Act and that has been publicly available in its entirety without redaction shall be made available in the Collection without any additional review by the Archivist, the Review Board, or any other Government office under this subtitle.

(5) EXEMPTIONS.—

(A) DEPARTMENT OF DEFENSE POW/MIA ACCOUNTING AGENCY.—The Defense POW/MIA Accounting Agency (DPAA) is exempt from the requirement under this subsection to declassify and transmit to the Archivist documents in its custody or control that pertain to a specific case or cases that DPAA is actively investigating or developing for the purpose of locating, disinterring, or identifying a missing member of the Armed Forces

(B) DEPARTMENT OF DEFENSE MILITARY SERVICE CASUALTY OFFICES AND DEPARTMENT OF STATE SERVICE CASUALTY OFFICES.—The Department of Defense Military Service Casualty Offices and the Department of State Service Casualty Offices are exempt from the requirement to declassify and transmit to the Archivist documents in their custody or control that pertain to individual cases with respect to which the office is lending support and assistance to the families of missing individuals.

(c) TRANSMISSION TO THE NATIONAL ARCHIVES.—Each Government office shall—

(1) not later than 180 days after a quorum of the Missing Armed Forces and Civilian Personnel Records Review Board has been established under section 1099C, commence transmission to the Archivist of copies of the missing Armed Forces and civilian personnel records in the custody, possession, or control of the Government office; and

(2) not later than 1 year after a quorum of the Missing Armed Forces and Civilian Personnel Records Review Board has been established under section 1099C, complete transmission to the Archivist of copies of all missing Armed Forces and civilian personnel records in the possession or control of the Government office.

(d) PERIODIC REVIEW OF POSTPONED MISSING ARMED FORCES AND CIVILIAN PERSONNEL RECORDS.—

(1) IN GENERAL.—All missing Armed Forces and civilian personnel records, or information within a missing Armed Forces and civilian personnel record, the public disclosure of which has been postponed under the standards under this subtitle shall be reviewed by the originating body—

(A)(i) periodically, but not less than every 5 years, after the date on which the Review Board terminates under section 1099C(o); and

(ii) at the direction of the Archivist; and

(B) consistent with the recommendations of the Review Board under section 1099E(b)(3)(B).

(2) CONTENTS.—

(A) IN GENERAL.—A periodic review of a missing Armed Forces and civilian personnel record, or information within a missing Armed Forces and civilian personnel record, by the originating body shall address the public disclosure of the missing Armed Forces and civilian personnel record under the standards under this subtitle.

(B) CONTINUED POSTPONEMENT.—If an originating body conducting a periodic review of a missing Armed Forces and civilian personnel record, or information within a missing Armed Forces and civilian personnel record, the public disclosure of which has been postponed under the standards under this subtitle, determines that continued postponement is required, the originating body shall provide to the Archivist an unclassified written description of the reason for the continued postponement that the Archivist shall highlight and make accessible on a publicly accessible website administered by the National Archives.

(C) SCOPE.—The periodic review of postponed missing Armed Forces and civilian personnel records, or information within a missing Armed Forces and civilian personnel record, shall serve the purpose stated in section 1097(b)(2), to provide expeditious public disclosure of missing Armed Forces and civilian personnel records, to the fullest extent possible, subject only to the grounds for postponement of disclosure under section 1099B.

(D) DISCLOSURE ABSENT CERTIFICATION BY PRESIDENT.—Not later than 10 years after a quorum of the Missing Armed Forces and Civilian Personnel Records Review Board has been established under section 1099C, all missing Armed Forces and civilian personnel records, and information within a missing Armed Forces and civilian personnel record, shall be publicly disclosed in full, and available in the Collection, unless—

(i) the head of the originating body, Executive agency, or other Government office recommends in writing that continued postponement is necessary;

(ii) the written recommendation described in clause (i)—

(I) is provided to the Archivist in unclassified and publicly releasable form not later than 180 days before the date that is 10 years after a quorum of the Missing Armed Forces and Civilian Personnel Records Review Board has been established under section 1099C; and

(II) includes—

(aa) a justification of the recommendation to postpone disclosure with clear and convincing evidence that the identifiable harm is of such gravity that it outweighs the public interest in disclosure; and

(bb) a recommended specified time at which or a specified occurrence following which the material may be appropriately disclosed to the public under this subtitle;

(iii) the Archivist transmits all recommended postponements and the recommendation of the Archivist to the President not later than 90 days before the date that is 10 years after the date a quorum of the Missing Armed Forces and Civilian Personnel Records Review Board has been established under section 1099C; and

(iv) the President transmits to the Archivist a certification indicating that continued

postponement is necessary and the identifiable harm, as demonstrated by clear and convincing evidence, is of such gravity that it outweighs the public interest in disclosure not later than the date that is 10 years after the date a quorum of the Missing Armed Forces and Civilian Personnel Records Review Board has been established under section 1099C.

SEC. 1099B. GROUNDS FOR POSTPONEMENT OF PUBLIC DISCLOSURE OF RECORDS.

(a) IN GENERAL.—Disclosure to the public of a missing Armed Forces and civilian personnel record or particular information in a missing Armed Forces and civilian personnel record created after the date that is 25 years before the date of the review of the missing Armed Forces and civilian personnel record by the Archivist may be postponed subject to the limitations under this subtitle only—

(1) if it pertains to—

(A) military plans, weapons systems, or operations;

(B) foreign government information;

(C) intelligence activities (including covert action), intelligence sources or methods, or cryptology;

(D) foreign relations or foreign activities of the United States, including confidential sources;

(E) scientific, technological, or economic matters relating to the national security;

(F) United States Government programs for safeguarding nuclear materials or facilities;

(G) vulnerabilities or capabilities of systems, installations, infrastructures, projects, plans, or protection services relating to the national security; or

(H) the development, production, or use of weapons of mass destruction; and

(2) the threat posed by the public disclosure of the missing Armed Forces and civilian personnel record or information is of such gravity that it outweighs the public interest in disclosure.

(b) OLDER RECORDS.—Disclosure to the public of a missing Armed Forces and civilian personnel record or particular information in a missing Armed Forces and civilian personnel record created on or before the date that is 25 years before the date of the review of the missing Armed Forces and civilian personnel record by the Archivist may be postponed subject to the limitations under this subtitle only if, as demonstrated by clear and convincing evidence—

(1) the release of the information would be expected to—

(A) reveal the identity of a confidential human source, a human intelligence source, a relationship with an intelligence or security service of a foreign government or international organization, or a nonhuman intelligence source, or impair the effectiveness of an intelligence method currently in use, available for use, or under development;

(B) reveal information that would impair United States cryptologic systems or activities;

(C) reveal formally named or numbered United States military war plans that remain in effect, or reveal operational or tactical elements of prior plans that are contained in such active plans; or

(D) reveal information, including foreign government information, that would cause serious harm to relations between the United States and a foreign government, or to ongoing diplomatic activities of the United States; and

(2) the threat posed by the public disclosure of the missing Armed Forces and civilian personnel record or information is of such gravity that it outweighs the public interest in disclosure.

(c) EXCEPTION.—Regardless of the date on which a missing Armed Forces and civilian personnel record was created, disclosure to the public of information in the missing Armed Forces and civilian personnel record may be postponed if—

(1) the public disclosure of the information would reveal the name or identity of a living person who provided confidential information to the United States and would pose a substantial risk of harm to that person;

(2) the public disclosure of the information could reasonably be expected to constitute an unwarranted invasion of personal privacy, and that invasion of privacy is so substantial that it outweighs the public interest;

(3) the public disclosure of the information could reasonably be expected to cause harm to the methods currently in use or available for use by members of the Armed Forces to survive, evade, resist, or escape; or

(4) the public disclosure of such information would conflict with United States law or regulations.

SEC. 1099C. ESTABLISHMENT AND POWERS OF THE MISSING ARMED FORCES AND CIVILIAN PERSONNEL RECORDS REVIEW BOARD.

(a) ESTABLISHMENT.—There is established as an independent establishment in the executive branch a board to be known as the ''Missing Armed Forces and Civilian Personnel Records Review Board'' to ensure and facilitate the review, transmission to the Archivist, and public disclosure of missing Armed Forces and civilian personnel records.

(b) MEMBERSHIP.—

(1) APPOINTMENTS.—The Review Board shall be composed of 5 members appointed by the President, of whom—

(A) 1 shall be appointed in consultation with the Archivist of the United States and by and with the advice and consent of the Senate, and shall serve as the Chairperson of the Review Board;

(B) 1 shall be recommended by the majority leader of the Senate;

(C) 1 shall be recommended by the minority leader of the Senate;

(D) 1 shall be recommended by the Speaker of the House of Representatives; and

(E) 1 shall be recommended by the minority leader of the House of Representatives.

(2) QUALIFICATIONS.—The members of the Review Board shall—

(A) be appointed without regard to political affiliation;

(B) be citizens of the United States of integrity and impartiality;

(C) not be employees of an Executive agency on the date of the appointment;

(D) have high national professional reputation in their fields and be capable of exercising the independent and objective judgment necessary to the fulfillment of their role in ensuring and facilitating the identification, location, review, transmission to the Archivist, and public disclosure of missing Armed Forces and civilian personnel records;

(E) possess an appreciation of the value of missing Armed Forces and civilian personnel records to scholars, the Federal Government, and the public, particularly families of missing Armed Forces and civilian personnel;

(F) include at least 1 professional historian; and

(G) include at least 1 attorney.

(3) CONSULTATION WITH THE OFFICE OF GOVERNMENT ETHICS.—In considering persons to be appointed to the Review Board, the President shall consult with the Director of the Office of Government Ethics to—

(A) determine criteria for possible conflicts of interest of members of the Review Board, consistent with ethics laws, statutes, and regulations for executive branch employees; and

(B) ensure that no individual selected for such position of member of the Review Board possesses a conflict of interest as so determined.

(4) CONSULTATION.—Appointments to the Review Board shall be made after considering individuals recommended by the American Historical Association, the Organization of American Historians, the Society of American Archivists, the American Bar Association, veterans' organizations, and organizations representing families of missing Armed Forces and civilian personnel.

(c) SECURITY CLEARANCES.—The appropriate departments, agencies, and elements of the executive branch of the Federal Government shall cooperate to ensure that an application by an individual nominated to be a member of the Review Board, seeking security clearances necessary to carry out the duties of the Review Board, is expeditiously reviewed and granted or denied.

(d) CONSIDERATION BY THE SENATE.—Nominations for appointment under subsection (b)(1)(A) shall be referred to the Committee on Homeland Security and Governmental Affairs of the Senate for consideration.

(e) VACANCY.—Not later than 60 days after the date on which a vacancy on the Review Board occurs, the vacancy shall be filled in the same manner as specified for original appointment.

(f) CHAIRPERSON NEEDED FOR QUORUM.—A majority of the members of the Review Board, including the Chairperson appointed and confirmed pursuant to subsection (b)(1)(A), shall constitute a quorum.

(g) REMOVAL OF REVIEW BOARD MEMBER.—

(1) IN GENERAL.—A member of the Review Board shall not be removed from office, other than—

(A) by impeachment by Congress; or

(B) by the action of the President for inefficiency, neglect of duty, malfeasance in office, physical disability, mental incapacity, or any other condition that substantially impairs the performance of the member's duties.

(2) JUDICIAL REVIEW.—

(A) IN GENERAL.—A member of the Review Board removed from office may obtain judicial review of the removal in a civil action commenced in the United States District Court for the District of Columbia.

(B) RELIEF.—The member may be reinstated or granted other appropriate relief by order of the court.

(3) NOTICE OF REMOVAL.—If a member of the Review Board is removed from office, and that removal is by the President, not later than 10 days after the removal, the President shall submit to the leadership of Congress, the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Reform of the House of Representatives a report specifying the facts found and the grounds for the removal.

(h) COMPENSATION OF MEMBERS.—

(1) BASIC PAY.—A member of the Review Board shall be treated as an employee of the executive branch and compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the performance of the duties of the Review Board.

(2) TRAVEL EXPENSES.—A member of the Review Board shall be allowed reasonable travel expenses, including per diem in lieu of subsistence, at rates for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from the member's home or regular place of business in the performance of services for the Review Board.

(i) DUTIES OF THE REVIEW BOARD.—

(1) IN GENERAL.—The Review Board shall consider and render a decision on a determination by a Government office to seek to postpone the disclosure of a missing Armed Forces and civilian personnel record, in whole or in part.

(2) RECORDS.—In carrying out paragraph (1), the Review Board shall consider and render a decision regarding—

(A) whether a record constitutes a missing Armed Forces and civilian personnel record; and

(B) whether a missing Armed Forces and civilian personnel record, or particular information in a missing Armed Forces and civilian personnel record, qualifies for postponement of disclosure under this subtitle.

(j) POWERS.—The Review Board shall have the authority to act in a manner prescribed under this subtitle, including authority to—

(1) direct Government offices to transmit to the Archivist missing Armed Forces and civilian personnel records as required under this subtitle;

(2) direct Government offices to transmit to the Archivist substitutes and summaries of missing Armed Forces and civilian personnel records that can be publicly disclosed to the fullest extent for any missing Armed Forces and civilian personnel record that is proposed for postponement in full or that is substantially redacted;

(3) obtain access to missing Armed Forces and civilian personnel records that have been identified by a Government office;

(4) direct a Government office to make available to the Review Board, and if necessary investigate the facts surrounding, additional information, records, or testimony from individuals, which the Review Board has reason to believe is required to fulfill its functions and responsibilities under this subtitle;

(5) hold such hearings, sit and act at such times and places, take such testimony, receive such evidence, and administer such oaths as the Review Board considers advisable to carry out its responsibilities under this subtitle;

(6) hold individuals in contempt for failure to comply with directives and mandates issued by the Review Board under this subtitle, which shall not include the authority to imprison or fine any individual;

(7) require any Government office to account in writing for the destruction of any records relating to the loss, fate, or status of missing Armed Forces and civilian personnel;

(8) receive information from the public regarding the identification and public disclosure of missing Armed Forces and civilian personnel records; and

(9) make a final determination regarding whether a missing Armed Forces and civilian personnel record will be disclosed to the public or disclosure of the missing Armed Forces and civilian personnel record to the public will be postponed, notwithstanding the determination of an Executive agency.

(k) WITNESS IMMUNITY.—The Review Board shall be considered to be an agency of the United States for purposes of section 6001 of title 18, United States Code.

(l) OVERSIGHT.—

(1) IN GENERAL.—The Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Reform of the House of Representatives shall—

(A) have continuing legislative oversight jurisdiction with respect to the official conduct of the Review Board and the disposition of postponed records after termination of the Review Board; and

(B) not later than 10 days after submitting a request, be provided access to any records held or created by the Review Board.

(2) DUTY OF REVIEW BOARD.—The Review Board shall have the duty to cooperate with the exercise of oversight jurisdiction under paragraph (1).

(3) SECURITY CLEARANCES.—The Chairman and Ranking Members of the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Accountability of the House of Representatives, and designated Committee staff, shall be granted all security clearances and accesses held by the Review Board, including to relevant Presidential and department or agency special access and compartmented access programs.

(m) SUPPORT SERVICES.—The Administrator of the General Services Administration shall provide administrative services for the Review Board on a reimbursable basis.

(n) INTERPRETIVE REGULATIONS.—The Review Board may issue interpretive regulations.

(o) TERMINATION AND WINDING UP.—

(1) IN GENERAL.—Two years after the date of enactment of this Act, the Review Board shall, by majority vote, determine whether all Government offices have complied with the obligations, mandates, and directives under this subtitle.

(2) TERMINATION DATE.—The Review Board shall terminate on the date that is 4 years after the date of swearing in of the Board members.

(3) REPORT.—Before the termination of the Review Board under paragraph (2), the Review Board shall submit to Congress reports, including a complete and accurate accounting of expenditures during its existence, and shall complete all other reporting requirements under this subtitle.

(4) RECORDS.—Upon termination of the Review Board, the Review Board shall transfer all records of the Review Board to the Archivist for inclusion in the Collection, and no record of the Review Board shall be destroyed.

SEC. 1099D. MISSING ARMED FORCES AND CIVILIAN PERSONNEL RECORDS REVIEW BOARD PERSONNEL.

(a) EXECUTIVE DIRECTOR.—

(1) IN GENERAL.—Not later than 45 days after the initial meeting of the Review Board, the Review Board shall appoint an individual to the position of Executive Director.

(2) QUALIFICATIONS.—The individual appointed as Executive Director of the Review Board—

(A) shall be a citizen of the United States of integrity and impartiality;

(B) shall be appointed without regard to political affiliation; and

(C) shall not have any conflict of interest with the mission of the Review Board.

(3) CONSULTATION WITH THE OFFICE OF GOVERNMENT ETHICS.—In their consideration of the person to be appointed to the position of Executive Director of the Review Board, the Review Board shall consult with the Director of the Office of Government Ethics to—

(A) determine criteria for possible conflicts of interest of the Executive Director of the Review Board, consistent with ethics laws, statutes, and regulations for executive branch employees; and

(B) ensure that no individual selected for such position of Executive Director of the Review Board possesses a conflict of interest as so determined.

(4) SECURITY CLEARANCE.—

(A) LIMIT ON APPOINTMENT.—The Review Board shall not appoint an individual as Executive Director until after the date on which the individual qualifies for the necessary security clearance.

(B) EXPEDITED PROVISION.—The appropriate departments, agencies, and elements of the executive branch of the Federal Government shall cooperate to ensure that an application by an individual nominated to be Executive Director, seeking security clearances necessary to carry out the duties of the Executive Director, is expeditiously reviewed and granted or denied.

(5) DUTIES.—The Executive Director shall—

(A) serve as principal liaison to Government offices;

(B) be responsible for the administration and coordination of the review of records by the Review Board;

(C) be responsible for the administration of all official activities conducted by the Review Board; and

(D) not have the authority to decide or determine whether any record should be disclosed to the public or postponed for disclosure.

(6) REMOVAL.—The Executive Director may be removed by a majority vote of the Review Board.

(b) STAFF.—

(1) IN GENERAL.—The Review Board may, in accordance with the civil service laws, but without regard to civil service law and regulation for competitive service as defined in subchapter I of chapter 33 of title 5, United States Code, appoint and terminate additional employees as are necessary to enable the Review Board and the Executive Director to perform their duties under this subtitle. The Executive Director and other employees of the Review Board shall be treated as employees of the executive branch.

(2) QUALIFICATIONS.—An individual appointed to a position as an employee of the Review Board—

(A) shall be a citizen of the United States of integrity and impartiality; and

(B) shall not have had any previous involvement with any official investigation or inquiry relating to the loss, fate, or status of missing Armed Forces and civilian personnel.

(3) CONSULTATION WITH THE OFFICE OF GOVERNMENT ETHICS.—In their consideration of persons to be appointed as staff of the Review Board, the Review Board shall consult with the Director of the Office of Government Ethics to—

(A) determine criteria for possible conflicts of interest of staff of the Review Board, consistent with ethics laws, statutes, and regulations for executive branch employees; and

(B) ensure that no individual selected for such position of staff of the Review Board possesses a conflict of interest as so determined.

(4) SECURITY CLEARANCE.—

(A) LIMIT ON APPOINTMENT.—The Review Board shall not appoint an individual as an employee of the Review Board until after the date on which the individual qualifies for the necessary security clearance.

(B) EXPEDITED PROVISION.—The appropriate departments, agencies, and elements of the executive branch of the Federal Government shall cooperate to ensure that an application by an individual who is a candidate for a position with the Review Board, seeking security clearances necessary to carry out the duties of the position, is expeditiously reviewed and granted or denied.

(c) COMPENSATION.—The Review Board shall fix the compensation of the Executive Director and such employees without regard to chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay for the Executive Director and other employees may not exceed the rate payable for level V of the Executive Schedule under section 5316 of title 5, United States Code.

(d) ADVISORY COMMITTEES.—

(1) IN GENERAL.—The Review Board may create 1 or more advisory committees to assist in fulfilling the responsibilities of the Review Board under this subtitle.

(2) APPLICABILITY OF FACA.—Any advisory committee created by the Review Board shall be subject to the Federal Advisory Committee Act (5 U.S.C. App.).

SEC. 1099E. REVIEW OF RECORDS BY THE MISSING ARMED FORCES AND CIVILIAN PERSONNEL RECORDS REVIEW BOARD.

(a) STARTUP REQUIREMENTS.—The Review Board shall—

(1) not later than 90 days after the date on which all members are sworn in, publish an initial schedule for review of all missing Armed Forces and civilian personnel records, which the Archivist shall highlight and make available on a publicly accessible website administered by the National Archives; and

(2) not later than 180 days after the swearing in of the Board members, begin reviewing of missing Armed Forces and civilian personnel records, as necessary, under this subtitle.

(b) DETERMINATION OF THE REVIEW BOARD.—

(1) IN GENERAL.—The Review Board shall direct that all records that relate, directly or indirectly, to the loss, fate, or status of missing Armed Forces and civilian personnel be transmitted to the Archivist and disclosed to the public in the Collection in the absence of clear and convincing evidence that the record is not a missing Armed Forces and civilian personnel record.

(2) POSTPONEMENT.—In approving postponement of public disclosure of a missing Armed Forces and civilian personnel record, or information within a missing Armed Forces and civilian personnel record, the Review Board shall seek to—

(A) provide for the disclosure of segregable parts, substitutes, or summaries of the missing Armed Forces and civilian personnel record; and

(B) determine, in consultation with the originating body and consistent with the standards for postponement under this subtitle, which of the following alternative forms of disclosure shall be made by the originating body:

(i) Any reasonably segregable particular information in a missing Armed Forces and civilian personnel record.

(ii) A substitute record for that information which is postponed.

(iii) A summary of a missing Armed Forces and civilian personnel record.

(3) REPORTING.—With respect to a missing Armed Forces and civilian personnel record, or information within a missing Armed Forces and civilian personnel record, the public disclosure of which is postponed under this subtitle, or for which only substitutions or summaries have been disclosed to the public, the Review Board shall create and transmit to the Archivist, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Committee on Oversight and Accountability of the House of Representatives an unclassified and publicly releasable report containing—

(A) a description of actions by the Review Board, the originating body, or any Government office (including a justification of any such action to postpone disclosure of any record or part of any record) and of any official proceedings conducted by the Review Board; and

(B) a statement, based on a review of the proceedings and in conformity with the decisions reflected therein, designating a recommended specified time at which, or a specified occurrence following which, the material may be appropriately disclosed to the public under this subtitle, which the Review Board shall disclose to the public with notice thereof, reasonably calculated to make interested members of the public aware of the existence of the statement.

(4) ACTIONS AFTER DETERMINATION.—

(A) IN GENERAL.—Not later than 30 days after the date of a determination by the Review Board that a missing Armed Forces and civilian personnel record shall be publicly disclosed in the Collection or postponed for disclosure and held in the protected Collection, the Review Board shall notify the head of the originating body of the determination and highlight and make available the determination on a publicly accessible website reasonably calculated to make interested members of the public aware of the existence of the determination.

(B) OVERSIGHT NOTICE.—Simultaneous with notice under subparagraph (A), the Review Board shall provide notice of a determination concerning the public disclosure or postponement of disclosure of a missing Armed Forces and civilian personnel record, or information contained within a missing Armed Forces and civilian personnel record, which shall include a written unclassified justification for public disclosure or postponement of disclosure, including an explanation of the application of any standards in section 1099B to the President, to the Committee on Homeland Security and Governmental Affairs of the Senate, and the Committee on Oversight and Reform of the House of Representatives.

(5) REFERRAL AFTER TERMINATION.—A missing Armed Forces and civilian personnel record that is identified, located, or otherwise discovered after the date on which the Review Board terminates shall be transmitted to the Archivist for the Collection and referred to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives for review, ongoing oversight and, as warranted, referral for possible enforcement action relating to a violation of this subtitle and determination as to whether declassification of the missing Armed Forces and civilian personnel is warranted under this subtitle.

(c) NOTICE TO PUBLIC.—Every 30 days, beginning on the date that is 60 days after the date on which the Review Board first approves the postponement of disclosure of a missing Armed Forces and civilian personnel record, the Review Board shall highlight and make accessible on a publicly available website reasonably calculated to make interested members of the public aware of the existence of the postponement a notice that summarizes the postponements approved by the Review Board, including a description of the subject, originating body, length or other physical description, and each ground for postponement that is relied upon.

(d) REPORTS BY THE REVIEW BOARD.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and every year thereafter until the Review Board terminates, the Review Board shall submit a report regarding the activities of the Review Board to—

(A) the Committee on Oversight and Reform of the House of Representatives;

(B) the Committee on Homeland Security and Governmental Affairs of the Senate;

(C) the President;

(D) the Archivist; and

(E) the head of any Government office the records of which have been the subject of Review Board activity.

(2) CONTENTS.—Each report under paragraph (1) shall include the following information:

(A) A financial report of the expenses for all official activities and requirements of the Review Board and its employees.

(B) The progress made on review, transmission to the Archivist, and public disclosure of missing Armed Forces and civilian personnel records.

(C) The estimated time and volume of missing Armed Forces and civilian personnel records involved in the completion of the duties of the Review Board under this subtitle.

(D) Any special problems, including requests and the level of cooperation of Government offices, with regard to the ability of the Review Board to carry out its duties under this subtitle.

(E) A record of review activities, including a record of postponement decisions by the Review Board or other related actions authorized under this subtitle, and a record of the volume of records reviewed and postponed.

(F) Suggestions and requests to Congress for additional legislative authority needs.

(G) An appendix containing copies of reports relating to postponed records submitted to the Archivist under subsection (b)(3) since the end of the period covered by the most recent report under paragraph (1).

(3) COPIES AND BRIEFS.—Coincident with the reporting requirements in paragraph (2), or more frequently as warranted by new information, the Review Board shall provide copies to, and fully brief, at a minimum, the President, the Archivist, leadership of Congress, the Chairman and Ranking Members of the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Accountability of the House of Representatives, and the Chairs and Chairmen, as the case may be, and Ranking Members and Vice Chairmen, as the case may be, of such other committees as leadership of Congress determines appropriate on the Controlled Disclosure Campaign Plan, classified appendix, and postponed disclosures, specifically addressing—

(A) recommendations for periodic review, downgrading, and declassification, as well as the exact time or specified occurrence following which specific missing Armed Forces and civilian material may be appropriately disclosed;

(B) the rationale behind each postponement determination and the recommended means to achieve disclosure of each postponed item;

(C) any other findings that the Review Board chooses to offer; and

(D) an addendum containing copies of reports of postponed records to the Archivist required under subsection (b)(3) made since the date of the preceding report under this subsection.

(4) TERMINATION NOTICE.—Not later than 90 days before the Review Board expects to complete the work of the Review Board under this subtitle, the Review Board shall provide written notice to Congress of the intent of the Review Board to terminate operations at a specified date.

SEC. 1099F. DISCLOSURE OF OTHER MATERIALS AND ADDITIONAL STUDY.

(a) MATERIALS UNDER SEAL OF COURT.—

(1) IN GENERAL.—The Review Board may request the Attorney General to petition any court of the United States or of a foreign country to release any information relevant to the loss, fate, or status of missing Armed Forces and civilian personnel that is held under seal of the court.

(2) GRAND JURY INFORMATION.—

(A) IN GENERAL.—The Review Board may request the Attorney General to petition any court of the United States to release any information relevant to loss, fate, or status of missing Armed Forces and civilian personnel that is held under the injunction of secrecy of a grand jury.

(B) TREATMENT.—A request for disclosure of missing Armed Forces and civilian personnel materials under this subtitle shall be deemed to constitute a showing of particularized need under rule 6 of the Federal Rules of Criminal Procedure.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Attorney General should assist the Review Board in good faith to unseal any records that the Review Board determines to be relevant and held under seal by a court or under the injunction of secrecy of a grand jury;

(2) the Secretary of State should—

(A) contact the Governments of the Russian Federation, the People's Republic of China, and the Democratic People's Republic of Korea to seek the disclosure of all records in their respective custody, possession, or control relevant to the loss, fate, or status of missing Armed Forces and civilian personnel; and

(B) contact any other foreign government that may hold information relevant to the loss, fate, or status of missing Armed Forces and civilian personnel, and seek disclosure of such information; and

(3) all agencies should cooperate in full with the Review Board to seek the disclosure of all information relevant to the loss, fate, or status of missing Armed Forces and civilian personnel consistent with the public interest.

SEC. 1099G. RULES OF CONSTRUCTION.

(a) PRECEDENCE OVER OTHER LAW.—When this subtitle requires transmission of a record to the Archivist or public disclosure, it shall take precedence over any other law (except section 6103 of the Internal Revenue Code of 1986), judicial decision construing such law, or common law doctrine that would otherwise prohibit such transmission or disclosure, with the exception of deeds governing access to or transfer or release of gifts and donations of records to the United States Government.

(b) FREEDOM OF INFORMATION ACT.—Nothing in this subtitle shall be construed to eliminate or limit any right to file requests with any Executive agency or seek judicial review of the decisions under section 552 of title 5, United States Code.

(c) JUDICIAL REVIEW.—Nothing in this subtitle shall be construed to preclude judicial review under chapter 7 of title 5, United States Code, of final actions taken or required to be taken under this subtitle.

(d) EXISTING AUTHORITY.—Nothing in this subtitle revokes or limits the existing authority of the President, any Executive agency, the Senate, or the House of Representatives, or any other entity of the Government to publicly disclose records in its custody, possession, or control.

(e) RULES OF THE SENATE AND HOUSE OF REPRESENTATIVES.—To the extent that any provision of this subtitle establishes a procedure to be followed in the Senate or the House of Representatives, such provision is adopted—

(1) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and is deemed to be part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House, and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(2) with full recognition of the constitutional right of either House to change the rules (so far as they relate to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

SEC. 1099H. REQUESTS FOR EXTENSIONS.

The head of a Government office required to comply with a deadline under this subtitle that is based off the date of establishment of a quorum of the Missing Armed Forces and Civilian Personnel Records Review Board under section 1099C may request an extension from the Board for good cause. If the Board agrees to the request, the deadline applicable to the Government office for the purpose of such requirement shall be such later date as the Board may determine appropriate.

SEC. 1099I. TERMINATION OF EFFECT OF SUBTITLE.

(a) PROVISIONS PERTAINING TO THE REVIEW BOARD.—The provisions of this subtitle that pertain to the appointment and operation of the Review Board shall cease to be effective when the Review Board and the terms of its members have terminated under section 1099C(o).

(b) OTHER PROVISIONS.—The remaining provisions of this subtitle shall continue in effect until such time as the Archivist certifies to the President and Congress that all missing Armed Forces and civilian personnel records have been made available to the public in accordance with this subtitle.

SEC. 1099J. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this subtitle, to remain available until expended.

SEC. 1099K. SEVERABILITY.

If any provision of this subtitle, or the application thereof to any person or circumstance, is held invalid, the remainder of this subtitle and the application of that provision to other persons not similarly situated or to other circumstances shall not be affected by the invalidation.

SA 3284. Mr. CORNYN (for himself, Mr. CASEY, and Mr. SULLIVAN) submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. OUTBOUND INVESTMENT TRANSPARENCY.

(a) IN GENERAL.—The Defense Production Act of 1950 (50 U.S.C. 4501 et seq.) is amended by adding at the end the following:

"TITLE VIII—PROTECTION OF COVERED SECTORS

"SEC. 801. DEFINITIONS.

''In this title:

''(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term 'appropriate congressional committees' means—

''(A) the Committee on Banking, Housing, and Urban Affairs and the Committee on Commerce, Science, and Transportation of the Senate; and

''(B) the Committee on Financial Services and the Committee on Energy and Commerce of the House of Representatives.

''(2) COUNTRY OF CONCERN.—The term 'country of concern' means, subject to such regulations as may be prescribed in accordance with section 806, a country specified in section 4872(d)(2) of title 10, United States Code.

''(3) COVERED ACTIVITY.—

''(A) IN GENERAL.—Subject to such regulations as may be prescribed in accordance with section 806, and except as provided in subparagraph (B), the term 'covered activity' means any activity engaged in by a United States person in a related covered sector that involves—

''(i) an acquisition by such United States person of an equity interest or contingent equity interest, or monetary capital contribution, in a covered foreign entity, directly or indirectly, by contractual commitment or otherwise, with the goal of generating income or gain;

''(ii) an arrangement for an interest held by such United States person in the short- or long-term debt obligations of a covered foreign entity that includes governance rights that are characteristic of an equity investment, management, or other important rights, as defined in regulations prescribed in accordance with section 806;

''(iii) the establishment of a wholly owned subsidiary in a country of concern, such as a greenfield investment, for the purpose of production, design, testing, manufacturing, fabrication, or development related to one or more covered sectors;

''(iv) the establishment by such United States person of a joint venture in a country of concern or with a covered foreign entity for the purpose of production, design, testing, manufacturing, fabrication, or research involving one or more covered sectors, or other contractual or other commitments involving a covered foreign entity to jointly research and develop new innovation, including through the transfer of capital or intellectual property or other business proprietary information; or

''(v) the acquisition by a United States person with a covered foreign entity of—

''(I) operational cooperation, such as through supply or support arrangements;

''(II) the right to board representation (as an observer, even if limited, or as a member) or an executive role (as may be defined through regulation) in a covered foreign entity;

''(III) the ability to direct or influence such operational decisions as may be defined through such regulations;

''(IV) formal governance representation in any operating affiliate, like a portfolio company, of a covered foreign entity; or

''(V) a new relationship to share or provide business services, such as but not limited to financial services, marketing services, maintenance, or assembly functions, related to covered sectors.

''(B) EXCEPTIONS.—The term 'covered activity' does not include—

''(i) any transaction the value of which the Secretary of the Treasury determines is de minimis, as defined in regulations prescribed in accordance with section 806;

''(ii) any category of transactions that the Secretary determines is in the national interest of the United States, as may be defined in regulations prescribed in accordance with section 806;

''(iii) any ordinary or administrative business transaction as may be defined in such regulations;

''(iv) an investment by a United States person in—

''(I) any publicly traded security (as that term is defined in section 3(a)(10) of the Securities Exchange Act of 1934 (15 U.S.C. 78c(a)(10)), denominated in any currency, that trades on a securities exchange or through the method of trading that is commonly referred to as 'over-the-counter,' in any jurisdiction; or

''(II) a security issued by—

''(aa) any investment company (as that term is defined in section 3(a)(1) of the Investment Company Act of 1940, as amended, at 15 U.S.C. 80a–3(a)(1)) that is registered with the Securities and Exchange Commission, such as index funds, mutual funds, or exchange traded funds;

''(bb) any company that has elected to be a business development company pursuant to section 54 of the Investment Company Act of 1940 (15 U.S.C. 80a–53); or

''(cc) any derivative of item (aa) or (bb);

''(v) any ancillary transaction undertaken by a financial institution (as that term is defined in defined in section 5312 of title 31, United States Code); or

''(vi) the creation, contribution to, or provision of software distributed under open source licenses that permit downstream users to use, reproduce, distribute, copy, create derivative works of, and make modifications to the software.

''(C) ANCILLARY TRANSACTION DEFINED.—In this paragraph, the term 'ancillary transaction' means the processing, settling, clearing or sending of payments and cash transactions, underwriting services, credit rating services, and other services ordinarily incident to and part of the provision of financial services, such as opening bank accounts, direct custody services, foreign exchange services, remittances services, and safe deposit services.

''(4) COVERED FOREIGN ENTITY.—

''(A) IN GENERAL.—Subject to regulations prescribed in accordance with section 806, and except as provided in subparagraph (B), the term 'covered foreign entity' means—

''(i) any entity that is incorporated in, has a principal place of business in, or is organized under the laws of a country of concern;

''(ii) any entity the equity securities of which are primarily traded in the ordinary course of business on one or more exchanges in a country of concern;

''(iii) any entity in which any entity described in subclause (i) or (ii) holds, individually or in the aggregate, directly or indirectly, an ownership interest of greater than 50 percent; or

''(iv) any other entity that is not a United States person and that meets such criteria as may be specified by the Secretary of the Treasury in such regulations.

''(B) EXCEPTION.—The term 'covered foreign entity' does not include any entity described in subparagraph (A) that can demonstrate that a majority of the equity interest in the entity is ultimately owned by—

''(i) nationals of the United States; or

''(ii) nationals of such countries (other than countries of concern) as are identified for purposes of this subparagraph pursuant to regulations prescribed in accordance with section 806.

''(5) COVERED SECTORS.—Subject to regulations prescribed in accordance with section 806, the term 'covered sectors' includes sectors within the following areas, as specified in such regulations:

''(A) Advanced semiconductors and microelectronics.

''(B) Artificial intelligence.

''(C) Quantum information science and technology.

''(D) Hypersonics.

''(E) Satellite-based communications.

''(F) Networked laser scanning systems with dual-use applications.

''(6) PARTY.—The term 'party', with respect to an activity, has the meaning given that term in regulations prescribed in accordance with section 806.

''(7) UNITED STATES.—The term 'United States' means the several States, the District of Columbia, and any territory or possession of the United States.

''(8) UNITED STATES PERSON.—The term 'United States person' means—

''(A) an individual who is a citizen or national of the United States or an alien lawfully admitted for permanent residence in the United States; and

''(B) any corporation, partnership, or other entity organized under the laws of the United States or the laws of any jurisdiction within the United States.

''SEC. 802. ADMINISTRATION OF UNITED STATES INVESTMENT NOTIFICATION.

''(a) IN GENERAL.—The President shall delegate the authorities and functions under this title to the Secretary of the Treasury.

''(b) COORDINATION.—In carrying out the duties of the Secretary under this title, the Secretary shall—

''(1) coordinate with the Secretary of Commerce; and

''(2) consult with the United States Trade Representative, the Secretary of Defense, the Secretary of State, and the Director of National Intelligence.

''SEC. 803. MANDATORY NOTIFICATION OF COVERED ACTIVITIES.

''(a) MANDATORY NOTIFICATION.—

''(1) IN GENERAL.—Subject to regulations prescribed in accordance with section 806, beginning on the date that is 90 days after such regulations take effect, a United States person that plans to engage in a covered activity shall—

''(A) if such covered activity is not a secured transaction, submit to the Secretary of the Treasury a complete written notification of the activity not later than 14 days before the anticipated completion date of the activity; and

''(B) if such covered activity is a secured transaction, submit to the Secretary of the Treasury a complete written notification of the activity not later than 14 days after the completion date of the activity.

''(2) CIRCULATION OF NOTIFICATION.—

''(A) IN GENERAL.—The Secretary shall, upon receipt of a notification under paragraph (1), promptly inspect the notification for completeness.

''(B) INCOMPLETE NOTIFICATIONS.—If a notification submitted under paragraph (1) is incomplete, the Secretary shall promptly inform the United States person that submits the notification that the notification is not complete and provide an explanation of relevant material respects in which the notification is not complete.

''(3) IDENTIFICATION OF NON-NOTIFIED ACTIVITY.—The Secretary shall establish a process to identify covered activities for which—

''(A) a notification is not submitted to the Secretary under paragraph (1); and

''(B) information is reasonably available.

''(b) CONFIDENTIALITY OF INFORMATION.—

''(1) IN GENERAL.—Except as provided in paragraph (2), any information or documentary material filed with the Secretary of the Treasury pursuant to this section shall be exempt from disclosure under section 552 of title 5, United States Code, and no such information or documentary material may be made public by any government agency or Member of Congress.

''(2) EXCEPTIONS.—The exemption from disclosure provided by paragraph (1) shall not prevent the disclosure of the following:

''(A) Information relevant to any administrative or judicial action or proceeding.

''(B) Information provided to Congress or any of the appropriate congressional committees.

''(C) Information important to the national security analysis or actions of the President to any domestic governmental entity, or to any foreign governmental entity of an ally or partner of the United States, under the direction and authorization of the President or the Secretary, only to the extent necessary for national security purposes, and subject to appropriate confidentiality and classification requirements.

''(D) Information that the parties have consented to be disclosed to third parties.

''SEC. 804. REPORTING REQUIREMENTS.

''(a) IN GENERAL.—Not later than 360 days after the date on which the regulations prescribed under section 806 take effect, and not less frequently than annually thereafter, the Secretary of the Treasury shall submit to the appropriate congressional committees a report that—

''(1) lists all notifications submitted under section 803(a) during the year preceding submission of the report and includes, with respect to each such notification—

''(A) basic information on each party to the covered activity with respect to which the notification was submitted; and

''(B) the nature of the covered activity that was the subject to the notification, including the elements of the covered activity that necessitated a notification;

''(2) includes a summary of those notifications, disaggregated by sector, by covered activity, and by country of concern;

''(3) provides additional context and information regarding trends in the sectors, the types of covered activities, and the countries involved in those notifications;

''(4) includes a description of the national security risks associated with—

''(A) the covered activities with respect to which those notifications were submitted; or

''(B) categories of such activities; and

''(5) assesses the overall impact of those notifications, including recommendations for—

''(A) expanding existing Federal programs to support the production or supply of covered sectors in the United States, including the potential of existing authorities to address any related national security concerns;

''(B) investments needed to enhance covered sectors and reduce dependence on countries of concern regarding those sectors; and

''(C) the continuation, expansion, or modification of the implementation and administration of this title, including recommendations with respect to whether the definition of 'country of concern' under section 801(2) should be amended to add or remove countries.

''(b) FORM OF REPORT.—Each report required by this section shall be submitted in unclassified form, but may include a classified annex.

''(c) TESTIMONY REQUIRED.—Not later than one year after the date of enactment of this title, and annually thereafter, the Secretary of the Treasury and the Secretary of Commerce shall each provide to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives testimony with respect to the national security threats relating to investments by United States persons in countries of concern and broader international capital flows.

''SEC. 805. PENALTIES AND ENFORCEMENT.

''(a) PENALTIES WITH RESPECT TO UNLAWFUL ACTS.—Subject to regulations prescribed in accordance with section 806, it shall be unlawful—

''(1) to fail to submit a notification under subsection (a) of section 803 with respect to a covered activity or to submit other information as required by the Secretary of the Treasury; or

''(2) to make a material misstatement or to omit a material fact in any information submitted to the Secretary under this title.

''(b) ENFORCEMENT.—The President may direct the Attorney General to seek appropriate relief in the district courts of the United States, in order to implement and enforce this title.

''SEC. 806. REQUIREMENT FOR REGULATIONS.

''(a) IN GENERAL.—Not later than 360 days after the date of the enactment of this title, the Secretary of the Treasury shall finalize regulations to carry out this title.

''(b) ELEMENTS.—Regulations prescribed to carry out this title shall include specific examples of the types of—

''(1) activities that will be considered to be covered activities; and

''(2) the specific sectors and subsectors that may be considered to be covered sectors.

''(c) REQUIREMENTS FOR CERTAIN REGULATIONS.—The Secretary of the Treasury shall prescribe regulations further defining the terms used in this title, including 'covered activity', 'covered foreign entity', and 'party', in accordance with subchapter II of chapter 5 and chapter 7 of title 5 (commonly known as the 'Administrative Procedure Act').

''(d) PUBLIC PARTICIPATION IN RULEMAKING.—The provisions of section 709 shall apply to any regulations issued under this title.

''(e) LOW-BURDEN REGULATIONS.—In prescribing regulations under this section, the Secretary of the Treasury shall structure the regulations—

''(1) to minimize the cost and complexity of compliance for affected parties;

''(2) to ensure the benefits of the regulations outweigh their costs;

''(3) to adopt the least burdensome alternative that achieves regulatory objectives;

''(4) to prioritize transparency and stakeholder involvement in the process of prescribing the regulations; and

''(5) to regularly review and streamline existing regulations to reduce redundancy and complexity.

''SEC. 807. MULTILATERAL ENGAGEMENT AND COORDINATION.

''(a) IN GENERAL.—The President shall delegate the authorities and functions under this section to the Secretary of State.

''(b) AUTHORITIES.—The Secretary of State, in coordination with the Secretary of the Treasury, the Secretary of Commerce, the United States Trade Representative, and the Director of National Intelligence, shall—

''(1) conduct bilateral and multilateral engagement with the governments of countries that are allies and partners of the United States to ensure coordination of protocols and procedures with respect to covered activities with countries of concern and covered foreign entities; and

''(2) upon adoption of protocols and procedures described in paragraph (1), work with those governments to establish mechanisms for sharing information, including trends, with respect to such activities.

''(c) STRATEGY FOR DEVELOPMENT OF OUTBOUND INVESTMENT SCREENING MECHANISMS.—The Secretary of State, in coordination with the Secretary of the Treasury and in consultation with the Attorney General, shall—

''(1) develop a strategy to work with countries that are allies and partners of the United States to develop mechanisms comparable to this title for the notification of covered activities; and

''(2) provide technical assistance to those countries with respect to the development of those mechanisms.

''(d) REPORT.—

''(1) IN GENERAL.—Not later than 90 days after the development of the strategy required by subsection (b), and annually thereafter for a period of 5 years, the Secretary of State shall submit to the appropriate congressional committees a report that includes the strategy, the status of implementing the strategy, and a description of any impediments to the establishment of mechanisms comparable to this title by allies and partners.

''(2) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term 'appropriate congressional committees' means—

''(A) the Committee on Foreign Relations, the Committee on Finance, the Committee on Banking, Housing, and Urban Affairs, the Committee on Commerce, Science, and Transportation, and the Select Committee on Intelligence of the Senate; and

''(B) the Committee on Foreign Affairs, the Committee on Ways and Means, the Committee on Financial Services, the Committee on Energy and Commerce, and the Permanent Select Committee on Intelligence of the House of Representatives.

''SEC. 808. AUTHORIZATION OF APPROPRIATIONS.

''(a) IN GENERAL.—There are authorized to be appropriated such sums as may be necessary to carry out this title, including to provide outreach to industry and persons affected by this title.

''(b) HIRING AUTHORITY.—The head of any agency designated as a lead agency under section 802(b) may appoint, without regard to the provisions of sections 3309 through 3318 of title 5, United States Code, not more than 25 candidates directly to positions in the competitive service (as defined in section 2102 of that title) in that agency. The primary responsibility of individuals in positions authorized under the preceding sentence shall be to administer this title.

''SEC. 809. RULE OF CONSTRUCTION WITH RESPECT TO FREE AND FAIR COMMERCE.

''Nothing in this title may be construed to restrain or deter foreign investment in the United States, United States investment abroad, or trade in goods or services, if such investment and trade do not pose a risk to the national security of the United States.''.

(b) SUNSET.—This section and the amendments made by this section shall terminate on the date that is 5 years after the date of the enactment of this Act.

AUTHORITY FOR COMMITTEES TO MEET

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

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

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, September 17, 2024, at 9:30 a.m., to conduct a hearing on nominations.

COMMITTEE ON FINANCE

The Committee on Finance is authorized to meet during the session of the Senate on Tuesday September 17, 2024, at 10 a.m., to conduct a hearing.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Tuesday, September 17, 2024, at 10 a.m., to conduct a hearing.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Tuesday, September 17, 2024, at 10 a.m., to conduct a hearing.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Tuesday, September 17, 2024, at 2 p.m., to conduct a hearing.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Tuesday, September 17, 2024, at 2:30 p.m., to conduct a closed briefing.

SUBCOMMITTEE ON FINANCIAL INSTITUTIONS AND CONSUMER PROTECTION

The Subcommittee on Financial Institutions and Consumer Protection of the Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Tuesday, September 17, 2024, at 2:30 p.m., to conduct a hybrid hearing.

PRIVILEGES OF THE FLOOR

Mr. CASSIDY. Madam President, I ask unanimous consent that William McCarthy, an intern in my office, be granted floor privileges for the remainder of today's session of the Senate.

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

NATIONAL HISPANIC-SERVING INSTITUTIONS WEEK

RECOGNIZING HISPANIC HERITAGE MONTH

Mr. MERKLEY. Mr. President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of S. Res. 815 and that the Senate proceed to the en bloc consideration of the following Senate resolutions: S. Res. 815, National Hispanic-Serving Institutions Week, and S. Res. 823, Hispanic Heritage Month.

There being no objection, the committee was discharged, and the Senate proceeded to consider the resolutions en bloc.

Mr. MERKLEY. I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, and that the motions to reconsider be considered made and laid upon the table, all en bloc.

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

The resolution (S. Res. 815) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of September 12, 2024, under ''Submitted Resolutions.'')

The resolution (S. Res. 823) was agreed to.

The preamble was agreed to.

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

MEASURE READ THE FIRST TIME—H.R. 5613

Mr. MERKLEY. Mr. President, I understand there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The senior assistant legislative clerk read as follows:

A bill (H.R. 5613) to require a review of whether individuals or entities subject to the imposition of certain sanctions through inclusion on certain sanctions lists should also be subject to the imposition of other sanctions and included on other sanctions lists.

Mr. MERKLEY. I now ask for a second reading, and in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will receive its second reading on the next legislative day.

RESOLUTION CORRECTION—S. Res. 815

The PRESIDING OFFICER. For the information of the Senate, S. Res. 815 was discharged from the Committee on Health, Education, Labor, and Pensions, not the Committee on the Judiciary.

ORDERS FOR WEDNESDAY, SEPTEMBER 18, 2024

Mr. MERKLEY. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 10 a.m. on Wednesday, September 18; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and morning business be closed; that following the conclusion of morning business, the Senate proceed to executive session to resume consideration of the Court nomination; further, that the cloture motion with respect to the Court nomination ripen at 11:45 a.m.; finally, that if any nominations are confirmed during Wednesday's session, the motions to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

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

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. MERKLEY. 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 7:34 p.m., adjourned until Wednesday, September 18, 2024, at 10 a.m.

CONFIRMATION

Executive nomination confirmed by the Senate September 17, 2024:

THE JUDICIARY

MARY KATHLEEN COSTELLO, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF PENNSYLVANIA.