

## EXECUTIVE SESSION

## AMENDMENT TO MONTREAL PROTOCOL (“KIGALI AMENDMENT”)

Mr. SCHUMER. Madam President, I move to proceed to executive session to consider Calendar No. 2, Treaty Document No. 117-1.

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

The motion was agreed to.

The PRESIDING OFFICER. The clerk will state the treaty.

The senior assistant legislative clerk read as follows:

Calendar No. 2, Treaty Document, the Amendment to Montreal Protocol (“Kigali Amendment”).

Mr. SCHUMER. I ask unanimous consent that the treaty be considered as having advanced through the various parliamentary stages up to and including the presentation of the resolution of advice and consent to ratification.

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

The Resolution of Advice and Consent to Ratification is as follows:

## TEXT OF RESOLUTION OF ADVICE AND CONSENT TO RATIFICATION

*Resolved* (two-thirds of the Senators present concurring therein),

## SECTION 1. SENATE ADVICE AND CONSENT SUBJECT TO A DECLARATION

The Senate advises and consents to the ratification of the Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer (the “Montreal Protocol”), adopted at Kigali on October 15, 2016, by the Twenty-Eighth Meeting of the Parties to the Montreal Protocol (“The Kigali Amendment”) (Treaty Doc. 117-1), subject to the declaration of section 2.

## SECTION 2. DECLARATION

The advice and consent of the Senate under section 1 is subject to the following declaration:

The Kigali Amendment is not self-executing.

## CLOTURE MOTION

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

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

The senior assistant legislative clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Calendar No. 2, Treaty Document No. 117-1, amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer (the “Montreal Protocol”), adopted at Kigali on October 15, 2016, by the Twenty-Eighth Meeting of the Parties to the Montreal Protocol (“The Kigali Amendment”) and a resolution of advice and consent to ratification with 1 declaration.

Charles E. Schumer, Robert Menendez, Tammy Baldwin, Christopher Murphy, Mazie K. Hirono, Martin Heinrich, Christopher A. Coons, Benjamin L. Cardin, Margaret Wood Hassan, Sheldon Whitehouse, Alex Padilla, Brian Schatz, Patty Murray, Jacky Rosen, Edward J. Markey, Richard

Blumenthal, Angus S. King, Jr., Thom as R. Carper.

Mr. SCHUMER. I ask unanimous consent that the mandatory quorum calls for the cloture motions filed today, September 15, be waived.

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

Mr. SCHUMER. I ask unanimous consent that the filing deadline for first-degree amendments to Calendar No. 2, Treaty Document No. 117-1 be at 4 p.m. on Monday, September 9.

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

## EXECUTIVE CALENDAR

Mr. SCHUMER. Madam President, I ask unanimous consent that the Senate consider the following nominations en bloc: Calendar Nos. 1066, 1141, 1142, 1143, 1144; all nominations on the Secretary’s desk in the Foreign Service; that the Senate vote on the nominations en bloc without intervening action or debate; that the motions to reconsider be considered made and laid upon the table; and that the President be immediately notified of the Senate’s action.

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

The question is, Will the Senate advise and consent to the nominations of Geoffrey R. Pyatt, of California, a Career Member of the Senior Foreign Service, Class of Career Minister, to be an Assistant Secretary of State (Energy Resources); Nathaniel Fick, of Maine, to be Ambassador at Large for Cyberspace and Digital Policy. (New Position); Rolfe Michael Schiffer, of New York, to be an Assistant Administrator of the United States Agency for International Development; PATRICK LEAHY, of Vermont, to be a Representative of the United States of America to the Seventy-seventh Session of the General Assembly of the United Nations; JAMES E. RISCH, of Idaho, to be a Representative of the United States of America to the Seventy-seventh Session of the General Assembly of the United Nations; and PNS2170-1 FOREIGN SERVICE nominations (163) beginning Donald R. Alderman, and ending John M. Grondelski, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of May 19, 2022?

The nominations were confirmed en bloc.

## LEGISLATIVE SESSION

## MORNING BUSINESS

Mr. SCHUMER. 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.

## SHIREEN ABU AKLEH

Mr. LEAHY. Madam President, on May 19, I echoed Secretary of State Blinken’s call for an “independent, credible investigation” of the violent death of widely respected Palestinian-American journalist Shireen Abu Akleh. At that time, several Members of Congress called for the FBI to be involved, as did I. That would be customary and appropriate after a tragedy like this involving a prominent American killed overseas under questionable circumstances.

Secretary Blinken later said, and I agree, that “[w]hen that investigation happens, we will follow the facts, wherever they lead. It’s as straightforward as that.”

Unfortunately, there has been no independent, credible investigation. Two weeks ago, without providing any details, the Israeli Government, after first blaming the Palestinians for Ms. Abu Akleh’s death, stated that she was likely shot, by mistake, by an unnamed Israeli soldier. The State Department has concluded that gunfire from Israeli Defense Force—IDF—positions was likely responsible, but that there was “no evidence to indicate her killing was intentional.” The Department acknowledges that conclusion was not the result of an investigation, but rather a review of information provided by the IDF and the Palestinian Authority—PA. We are told that “the Administration continues to believe that cooperation among Israel, the Palestinian Authority, and the U.S. Security Coordinator (USSC) is the best path to support a thorough, transparent, and impartial investigation.”

No one can credibly think that the PA, which does not have access to the IDF soldier who likely fired the bullet that killed Ms. Abu Akleh or to other IDF personnel who may have information about it, or Israel which has a history of investigations of shootings by IDF soldiers that rarely result in accountability, can be completely relied on to determine and make public all the facts of what happened in this case. The USSC, echoing the conclusion of the IDF, apparently did not interview any of the IDF soldiers or any other witnesses. To say that fatally shooting an unarmed person, and in this case one with “PRESS” written in bold letters on her clothing, was not intentional, without providing any evidence to support that conclusion, calls into question the State Department’s commitment to an independent, credible investigation and to “follow the facts.”

More than 3 months later, key questions remain unanswered.

Other than reviewing the investigations conducted by the IDF and the PA, did the USSC review any of the evidence collected from other investigations, including those conducted by the New York Times, the Washington Post, CNN, the Associated Press, or the Office of the United Nations High Commissioner for Human Rights? If so, which of those other investigations did

the USSC review and what conclusions, if any, did the USSC reach with respect to those investigations?

What specific evidence led to the USSC's conclusion "that there is no reason to believe that this was intentional but rather the result of tragic circumstances"?

What were the "tragic circumstances" the USSC was referring to?

If the soldier who fired the fatal shot did not intend to kill Ms. Abu Akleh, what did he intend?

If, as the Israeli authorities appear to be saying, the soldier missed who he was aiming at and hit Ms. Abu Akleh by mistake, who was he aiming at? What evidence is there, if any, that anyone in the immediate vicinity of where Ms. Abu Akleh was shot was firing at the IDF soldier who killed her?

What steps will the State Department take to ensure the independent, credible investigation the Secretary, and many others, have called for?

What steps has the State Department taken to determine whether the Leahy Law applies in this case?

On July 5, the Department spokesperson said "we would want to see accountability in any case of a wrongful death. That would especially—and is especially the case in the wrongful death of an American citizen, as was Shireen Abu Akleh." What steps does the Department plan to take to ensure such accountability?

I have also urged Israeli authorities to discipline those who were responsible for, and participated in, the chaos that erupted during Ms. Abu Akleh's funeral procession, when Israeli police needlessly beat mourners with batons, including the pallbearers, causing them to momentarily drop one end of the casket. Has anything been done?

There is an increasing foreboding that, as in so many other cases and like the murder of Jamal Khashoggi, there will never be the independent, credible investigation and accountability that Ms. Abu Akleh's family, the Secretary of State, I, and others have called for. That would further jeopardize the safety of journalists everywhere who courageously risk their lives to inform the public. An independent, credible investigation—meaning not by the IDF and not by the PA—but with their full cooperation, must be conducted and the findings made public. Whether her killing was intentional, reckless, or a tragic mistake, there must be accountability. And if it was intentional, and if no one is held accountable, then the Leahy Law must be applied.

#### VOTE EXPLANATION

Mr. PETERS. Madam President, while returning to Washington, DC, on September 12, my flight was temporarily grounded by inclement weather, delaying my return to Washington, DC. As a result, I was unable to attend the vote on the motion to invoke cloture

on Executive Calendar No. 1043, Arianna J. Freeman, of Pennsylvania, to be United States Circuit Judge for the Third Circuit.

I would have voted yea on the confirmation had I been able to attend the vote.

#### REMEMBERING JODIE FINGLAND

Mrs. MURRAY. Madam President, I rise today to recognize and honor the life of Jodie Fingland, a dedicated public servant who passed away on September 4 after battling a long illness.

Jodie devoted her life's work to expanding educational opportunities for students across the country, and she will be remembered for her wonderful, caring personality. I join my staff and so many others who had the privilege of knowing and working with Jodie through her tireless work at the Department of Education in mourning her passing and remembering her life.

Over the years, Jodie held many different positions at the Department of Education in the Obama administration. She served as chief of staff, deputy assistant secretary, and principal adviser for legislative affairs all in the Office for Legislation and Congressional Affairs, and worked closely with the Senate and House in these roles.

Whether briefing Members of Congress, preparing the Secretary for a committee hearing, or providing strategic advice to senior managers at the Department, Jodie was known for being kind, calm, and extremely knowledgeable. She was particularly known for her skill in higher education policy.

Jodie dedicated her career to the advancement and improvement of education for all, and her work impacted so many students, educators, and families across the country. She will be remembered fondly.

#### REMEMBERING MARGARET "MEGAN" MICHAEL DEBRANSKI KELHART

Mr. BARRASSO. Madam President, I rise today to honor the life of Margaret "Megan" Michael Debranski Kelhart. Megan passed away on August 19, 2022, after a heroic battle with cancer.

Megan spent her career as a dedicated public servant. Megan most recently worked as head of congressional and legislative affairs for the Bureau of Reclamation. Prior to that, she worked for the U.S. Fish and Wildlife Service and the U.S. Senate. In these roles, she worked with nearly every congressional office.

Megan was born on December 2, 1975, in Norfolk, VA. In 1994, Megan graduated from Lakeland High School where she excelled as a student and was a standout tennis player on a State champion tennis team. She was also a cheerleader, school band member, and prom queen. Megan later studied political science at Virginia Tech, where she was an active member of the Alpha

Chi Omega sorority and later received her master of science degree in natural resources.

In 2001, Megan met her husband Matthew, while playing in the Senate summer softball league. The couple married in October of 2003. Together, they enjoyed college football and travelling the world together. In 2009, Megan and her husband welcomed their son, Matteson Michael Donnan Kelhart.

Megan is survived by her husband Matthew and their son Matteson of Alexandria, VA; father Dr. Michael Debranski and mother Margaret Debranski of Suffolk, VA; grandmother Margaret Beamon of Suffolk, VA; father-in-law and his wife Joseph and Lily Kelhart of Bethlehem, PA; and mother-in-law and her husband Terri and Joseph Costa of Perkasie, PA; and many other loved ones.

I ask our colleagues to join us in honoring the life of Margaret "Megan" Michael Debranski Kelhart.

#### ADDITIONAL STATEMENTS

#### RECOGNIZING HEARTLAND CHIA

• Mr. PAUL. Madam President, as ranking member of the Senate Committee on Small Business and Entrepreneurship, each week I recognize an outstanding Kentucky small business that exemplifies the American entrepreneurial spirit. This week, it is my privilege to recognize Heartland Chia of Franklin, KY, as the Senate Small Business of the Week.

Chris Kummer's small business was founded on an idea that virtually no one thought possible: successful chia crops planted and harvested in the United States. But as a fifth-generation farmer, Mr. Kummer is no stranger to the challenges posed by mother nature. Thus, with decades of farming experience under his belt and a tireless dedication to his crops, Mr. Kummer has turned this once crazy idea into a thriving business. Founded in 2012, Heartland Chia develops and markets locally grown chia to buyers across the country. Chris's wife, Jill Kummer, joins her husband at the helm of their business, handling most of the marketing and administrative duties while her husband works with the crop directly in the field. Together, the Kummers are proud to be the only chia seed growers in the U.S.A., a tremendous feat that adds to the biodiversity of Kentucky's burgeoning agricultural industry.

Mr. Kummer will be the first to tell you that his business would not be possible had it not been for the visionary researchers at the University of Kentucky College of Food, Agriculture, and Environment. Since his great-grandfather planted his first crop on their family farm in 1889, the Kummers have grown crops traditional to the Midwestern U.S., such as soy, wheat, and corn. It never occurred to them to plant chia as the plant requires a very