

EC-5586. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Siloxanes and Sili-cones, di-Me, Me hydrogen; Tolerance Ex-emption" (FRL No. 10196-01-OCSP) received during adjournment of the Senate in the Of-fice of the President of the Senate on Octo-ber 27, 2022; to the Committee on Agri-culture, Nutrition, and Forestry.

EC-5587. A communication from the Asso-ciate Director of the Regulatory Manage-ment Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Dimethyl sulfoxide; Exemption from the Requirement of a Tolerance" (FRL No. 10239-01-OCSP) re-ceived during adjournment of the Senate in the Office of the President of the Senate on October 27, 2022; to the Committee on Agri-culture, Nutrition, and Forestry.

EC-5588. A communication from the Direc-tor of Regulations and Policy Management Staff, Food and Drug Administration, De-partment of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Defining Small Number of Animals for Minor Use Determination; Peri-odic Reassessment" (RIN0910-AI46) received in the Office of the President of the Senate on October 11, 2022; to the Committee on Agri-culture, Nutrition, and Forestry.

EC-5589. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting the report of an officer authorized to wear the insignia of the grade of lieutenant general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-5590. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting the report of five (5) offi-cers authorized to wear the insignia of the grade of major general or brigadier general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-5591. A communication from the Alter-nate Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Privacy Act of 1974; Imple-mentation" (RIN0790-AL32) received in the Office of the President of the Senate on Oc-tober 11, 2022; to the Committee on Armed Services.

EC-5592. A communication from the Alter-nate Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Release of Official Informa-tion in Litigation and Presentation of Wit-ness Testimony by DoD Personnel (Touhy Regulation)" (RIN0790-AK11) received during adjournment of the Senate in the Office of the President of the Senate on October 27, 2022; to the Committee on Armed Services.

EC-5593. A communication from the Alter-nate Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Privacy Act of 1974; Imple-mentation" (RIN0790-AL17) received during adjournment of the Senate in the Office of the President of the Senate on October 27, 2022; to the Committee on Armed Services.

EC-5594. A communication from the Alter-nate Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Medical Malpractice Claims by Members of the Uniformed Services" (RIN0790-AL22) received during adjournment of the Senate in the Office of the President of the Senate on October 27, 2022; to the Com-mittee on Armed Services.

EC-5595. A communication from the Alter-nate Federal Register Liaison Officer, Office

of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Privacy Act of 1974; Imple-mentation" (RIN0790-AL13) received during adjournment of the Senate in the Office of the President of the Senate on October 27, 2022; to the Committee on Armed Services.

EC-5596. A communication from the Alter-nate Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Privacy Act of 1974; Imple-mentation" (RIN0790-AL28) received during adjournment of the Senate in the Office of the President of the Senate on October 27, 2022; to the Committee on Armed Services.

EC-5597. A communication from the Alter-nate Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Enrollment Fee and Cost Sharing Under TRICARE Prime and Select for Retirees and Their Dependents" (RIN0720-AB84) received in the Office of the President of the Senate on October 11, 2022; to the Committee on Armed Services.

EC-5598. A communication from the Alter-nate Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Department of State Rescission of Determination Regarding Sudan" (RIN0750-AL46) received during adjournment of the Senate in the Office of the President of the Senate on October 27, 2022; to the Com-mittee on Armed Services.

EC-5599. A communication from the Alter-nate Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Prohibition on Award to Contractors That Require Certain Nondisclo-sure Agreements" (RIN0750-AL36) received during adjournment of the Senate in the Of-fice of the President of the Senate on No-vember 7, 2022; to the Committee on Armed Services.

EC-5600. A communication from the Alter-nate Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Repeal of Preference for Fixed-Price Contracts" (RIN0750-AL58) re-ceived during adjournment of the Senate in the Office of the President of the Senate on November 7, 2022; to the Committee on Armed Services.

EC-5601. A communication from the Alter-nate Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Removal of Passive Radio Frequency Requirements" (RIN0750-AL73) received during adjournment of the Senate in the Office of the President of the Senate on November 7, 2022; to the Committee on Armed Services.

EC-5602. A communication from the Alter-nate Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Reporting Tax Information on Certain Foreign Procurements" (RIN0750-AL51) received during adjournment of the Senate in the Office of the President of the Senate on November 7, 2022; to the Com-mittee on Armed Services.

EC-5603. A communication from the Alter-nate Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Requirement for Firms Used to Support Department of Defense Audits" (RIN0750-AK47) received during adjournment of the Senate in the Office of the President of the Senate on November 7, 2022; to the Committee on Armed Services.

EC-5604. A communication from the Alter-nate Federal Register Liaison Officer, Office

of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Requiring Data Other than Certified Cost or Pricing Data" (RIN0750-AK95) received during adjournment of the Senate in the Office of the President of the Senate on November 7, 2022; to the Com-mittee on Armed Services.

EC-5605. A communication from the Alter-nate Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Removal of Pilot Program for Acquisition of Military Purpose Non-developmental Items" (RIN0750-AL71) re-ceived during adjournment of the Senate in the Office of the President of the Senate on November 7, 2022; to the Committee on Armed Services.

EC-5606. A communication from the Presi-dent of the United States, transmitting, pur-suant to law, the report on the 2022 National Security Strategy of the United States of America; to the Committee on Armed Serv-ices.

EC-5607. A communication from the Assist-ant Secretary of Defense (Energy, Installa-tions, and Environment), transmitting, pur-suant to law, a report entitled "Per- and Polyfluoroalkyl Substances Task Force Ac-tivities"; to the Committee on Armed Serv-ices.

EC-5608. A communication from the Direc-tor, Naval Reactors, Naval Nuclear Propul-sion Program, transmitting, pursuant to law, the Naval Nuclear Propulsion Program's reports on environmental monitoring and ra-dioactive waste disposal, radiation exposure, and occupational safety and health; to the Committee on Armed Services.

EC-5609. A communication from the Under Secretary of Defense (Acquisition and Sustainment), transmitting, pursuant to law, a report entitled "Fiscal Year 2021 Pur-chases from Foreign Entities"; to the Com-mittee on Armed Services.

EC-5610. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, a re-port entitled "Evaluation of the Effective-ness TRICARE Program; Fiscal Year 2021 Re-port to Congress"; to the Committee on Armed Services.

PETITIONS AND MEMORIALS

The following petitions and memo-rials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-246. A joint resolution adopted by the Legislature of the State of California urging the President of the United States and the United States Congress to take action to re-store honor to the sailors unjustly blamed for, and the sailors convicted of mutiny fol-lowing, the disaster at the Port Chicago Naval Magazine in Concord, California dur-ing World War II and to rectify any mistreat-ment by the military of those sailors, includ-ing the full exoneration of those who were convicted at court-martial; to the Com-mittee on Armed Services.

SENATE JOINT RESOLUTION No. 15

Whereas, On the night of July 17, 1944, two transport vessels loading ammunition at the Port Chicago naval base on Suisun Bay, at the confluence of the Sacramento and San Joaquin Rivers in California, were suddenly engulfed in a gigantic explosion, which wrecked the naval base and heavily damaged the Town of Port Chicago, located 1.5 miles away; and

Whereas, Everyone on the pier and aboard the two ships was killed instantly, some 320 American naval personnel, two-thirds of whom were African American enlisted men.

Another 390 military and civilian personnel were injured, including 226 African American enlisted men; and

Whereas, The two ships and the large loading pier were totally annihilated, and an estimated \$12,000,000 in property damage was caused by the huge blast; and

Whereas, This single, stunning disaster accounted for nearly 15 percent of all African American naval casualties during the whole of World War II and was the worst homefront disaster of the war; and

Whereas, The specific cause of the explosion was never officially established by a court of inquiry, in effect clearing the officers-in-charge of any responsibility for the disaster, and insofar as any human cause was invoked, laid the burden of blame on the shoulders of the African American enlisted men who died in the explosion; and

Whereas, Following the incident, many of the surviving African American sailors were transferred to nearby Camp Shoemaker, where they remained until July 31, when two of the divisions were transferred to naval barracks in the City of Vallejo near Mare Island. Another division, which was also at Camp Shoemaker until July 31, returned to the Town of Port Chicago to help with cleaning up and rebuilding the base; and

Whereas, Many of these men were in a state of shock, troubled by the vivid memory of the horrible explosion; however, they were provided no psychiatric counseling or medical screening, except for those who were obviously physically injured. None of the men, even those who had been hospitalized with injuries, were granted survivor leave to visit their families before being reassigned to regular duties, and none of these survivors were called to testify at the court of inquiry; and

Whereas, Captain Merrill T. Kinne, Officer-in-Charge of Port Chicago, issued a statement praising the African American enlisted men, stating that "the men displayed creditable coolness and bravery under those emergency conditions"; and

Whereas, After the disaster, White sailors were given 30 days' leave to visit their families, according to survivors. This was the standard for soldiers involved in a disaster, while only African American sailors were ordered back to work the next day to clean and remove human remains; and

Whereas, After the disaster, the preparation of Mare Island for the arrival of African American sailors included moving the barracks of White sailors away from the loading area in order to be clear of the ships being loaded in case of another explosion; and

Whereas, The survivors and new personnel who later were ordered to return to loading ammunition expressed their opposition, citing the possibility of another explosion. The first confrontation occurred on August 9, when 328 men from 3 divisions were ordered out to the loading pier. The great majority of the men balked, and eventually 258 were arrested and confined for 3 days on a large barge tethered to the pier; and

Whereas, Fifty of these men were selected as the ringleaders and charged with mutiny, and on October 24, 1944, after only 80 minutes of deliberation by a military court, all 50 men were found guilty of mutiny. Ten men were sentenced to 15 years in prison, 24 were sentenced to 12 years, 11 were sentenced to 10 years, and 5 were sentenced to 8 years, and 11 were to be dishonorably discharged from the Navy. This was the largest mass mutiny trial in the United States to this day; and

Whereas, Thurgood Marshall, working as special counsel for the NAACP Legal Defense and Educational Fund, watched some of the court-martial proceedings and subsequently began a publicity campaign to gather public support for the release of the men. Marshall additionally obtained permission from each

of the 50 men to appeal their case to the Judge Advocate General of the Navy; and

Whereas, After a massive outcry the next year, in January 1946, 47 of the Port Chicago men were released from prison and "exiled" for one year overseas before returning to their families; and

Whereas, In a 1994 investigation, the United States Navy stated, "there is no doubt that racial prejudice was responsible for the posting of only African American enlisted personnel to loading divisions at Port Chicago"; and

Whereas, In the 1994 investigation, the United States Navy, prompted by Members of Congress, admitted that the routine assignment of only African American enlisted personnel to manual labor was clearly motivated by race; and

Whereas, The United States Congress reduced the death benefit to those killed in the Port Chicago disaster from \$5,000, the normal amount given, to \$3,000, simply because the sailors were African American; and

Whereas, In many cases, families of sailors killed in the disaster were never told they were entitled to consideration for the death of their relative; and

Whereas, In 2010, the Port Chicago memorial site was designated as part of the National Park Service; and

Whereas, In 2019, the United States Navy transferred a park to the East Bay Regional Park District after a "decades-long effort" to turn the area into a park; and

Whereas, In 2021, the East Bay Regional Park District's board of directors unanimously renamed the park the Thurgood Marshall Regional Park—Home of the Port Chicago 50, the first regional park in the County of Contra Costa to be named after a Black person; and

Whereas, The City of Concord endorsed the renaming of the park at its May 25, 2021, city council meeting; and

Whereas, The newly named park is planned to include a joint visitor center with the National Park Service that will contain historic information about the Port Chicago 50 and will commemorate the role that Thurgood Marshall played in defending the Port Chicago 50, in addition to his efforts in the desegregation of the United States Armed Forces; and

Whereas, United States Representative Mark DeSaulnier has requested \$10,000,000 in federal funds for this visitor center; and

Whereas, The entire site totals to be 5,046 acres and the park itself will take up roughly 2,540 of those acres. The remaining redevelopment will additionally include commercial space and housing units; and

Whereas, Despite the gross injustice faced by these sailors, only one of the men charged with mutiny was given a pardon by President William J. Clinton in 1999; now, therefore, be it

Resolved by the Senate and the Assembly of the State of California, jointly, That the Legislature of the State of California respectfully urges the President of the United States and the Congress of the United States to take action to restore honor to the sailors unjustly blamed for, and the sailors convicted of mutiny following, the Port Chicago disaster, and to rectify any mistreatment by the military of those sailors; and be it further

Resolved, That the California State Legislature respectfully urges the President of the United States and the Congress of the United States to take the necessary actions to ensure those sailors' treatment is rectified by the full exoneration of all who were court-martialed, whether alive or deceased, and having the military records of these men cleared of any court judgment or less-than-honorable discharge; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the

President and Vice President of the United States, the Speaker of the House of Representatives, the Majority Leader of the Senate, and each Senator and Representative from California in the Congress of the United States, and to the author for appropriate distribution.

POM-247. A joint resolution adopted by the Legislature of the State of California urging the President of the United States and the United States Congress to amend specified provisions of the federal Social Security Act to allow recipients of disabled adult child benefits under the act to continue to receive those benefits upon marriage; to the Committee on Finance.

SENATE JOINT RESOLUTION NO. 8

Whereas, An individual with a physical or mental condition that arose before 22 years of age, and that very seriously limits the person's ability to engage in substantial employment activity, may qualify for the childhood disability benefit through the social security earnings record of a retired, disabled, or deceased parent; and

Whereas, This benefit provides funds and insurance coverage that provide critical support for many disabled children; and

Whereas, Children with disabilities receiving the childhood disability benefit may continue to be covered into adulthood as adult disabled children if they still qualify as disabled under the social security disability standards after reaching adulthood; and

Whereas, The childhood disability benefit for adult disabled children is also known as the disabled adult child (DAC) benefit, and an adult whose disability arose before 22 years of age may receive the DAC childhood disability benefit through their retired, disabled, or deceased parents' social security earnings record; and

Whereas, The DAC benefit provides funds to cover basic living expenses and health insurance coverage that is critical for disabled adult children, as it covers necessary, and often costly, medical care needed to live with a disability; and

Whereas, For adults who have been disabled from a young age and receive the DAC benefit, access to health insurance coverage through the federal Medicare and Medicaid programs continues to be vital, because other types of insurance do not cover the necessary medical services, personal attendant care, durable medical equipment, therapies, and other services that are often required for individuals with significant disabilities; and

Whereas, Under the federal Social Security Act and policy, recipients of the DAC benefit have their benefits terminated upon marriage, unless an exception applies; and

Whereas, Because recipients of the DAC benefit who many may only continue to receive their benefits if they marry an individual who is also receiving the DAC benefit, Social Security Disability Insurance (SSDI), or certain other categories of social security benefits, this policy creates a substantial barrier to marriage for younger interabled couples; and

Whereas, The federal Social Security Act and policy currently provide that individuals who receive DAC may lose their access to Medicaid, operated as Medi-Cal in California, if they are deemed to have certain assets or income; and

Whereas, Loss of DAC benefits, including Medicare and access to Medi-Cal, is simply not an option for most disabled adults, as they depend on their insurance coverage to survive; and

Whereas, Many DAC benefit recipients do not marry their life partners because they

cannot survive without their benefits, and are therefore unable to enjoy the fundamental right to marry and are unable to exercise their religious beliefs with regard to marriage; and

Whereas, Individuals who are disabled later in life after participating in the workforce, potentially for as few as one and one-half years of work, may be eligible to receive SSDI; and

Whereas, SSDI recipients who receive benefits on their own work record do not face termination of coverage upon marriage, yet DAC benefit recipients do face termination of coverage upon marriage; and

Whereas, Many DAC benefit recipients participate or have participated in the workforce and pay or have paid social security and Medicare payroll taxes, but there is a lack of clear public guidance from the federal Social Security Administration regarding whether and how DAC benefit recipients can leave the DAC program and begin receiving SSDI benefits on their own work records so that they do not face termination of coverage upon marriage; and

Whereas, The discrepancy in the treatment of marriage on benefits between adults who are disabled as children versus those who become disabled as adults and who have had the opportunity to participate in the workforce for at least one and one-half years prior to developing a disability is plainly unequal treatment; and

Whereas, Articles 3, 5, and 7 of the United Nations Convention on the Rights of Persons with Disabilities recognizes that all persons are equal under the law and that individuals with disabilities should be guaranteed equal protections of the laws without discrimination; and

Whereas, Article 23 of the United Nations Convention on the Rights of Persons with Disabilities speaks clearly to the fact that the freedom of people with disabilities to marry and form families is an issue of fundamental human rights; and

Whereas, Adults who were disabled as children should have the right to marry whomever they wish without having their DAC benefits terminated; Now, therefore, be it

Resolved by the Senate and the Assembly of the State of California, jointly, That the Legislature denounces the inequality and discriminatory treatment of adults receiving DAC benefits in reference to their termination of benefits upon marriage; and be it further

Resolved, That the Legislature urges the President and Congress of the United States to amend Section 402(d)(1) of Title 42 of the United States Code and any other necessary statutes to allow recipients of DAC benefits to continue to receive those benefits upon marriage; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the Majority Leader of the Senate, to each Senator and Representative from California in the Congress of the United States, and to the author for appropriate distribution.

POM-248. A joint resolution adopted by the Legislature of the State of California urging the United States Congress to amend the Social Security Administration's index of earnings to ensure that a decline in aggregate wages due to COVID-19 does not result in decreased benefits; to the Committee on Finance.

SENATE JOINT RESOLUTION No. 5

Whereas, Sixty-three million people collect Social Security benefits; and

Whereas, Sixty-three million people amounts to one in every six United States residents; and

Whereas, Social Security benefits lift more than 15,000,000 elderly individuals out of poverty; and

Whereas, Social Security is especially beneficial for minority demographics such as African Americans, Latinos, and women who all face higher rates of poverty and earn less than their White, male, working counterparts; and

Whereas, Social Security is also especially beneficial to African American and Latino men, as they are also more likely to become disabled while working; and

Whereas, The global COVID-19 pandemic has unearthed a technical glitch in the United States Social Security system; and

Whereas, If left unaddressed, this glitch may result in more than 8,000,000 workers, those who turn 60 years of age in 2020 or 2021, receiving substantially lower Social Security benefits than workers with identical earnings who turned 60 years of age in the years immediately prior to the COVID-19 pandemic; and

Whereas, Social Security's earned benefits are based on each worker's earning history adjusted to reflect the growth in aggregate economywide wages; and

Whereas, Social Security benefits are calculated individually and adjusted through the average wage index, which amounts to the total wages paid in the United States in a year, divided by the number of W-2 tax forms issued in that same year; and

Whereas, Due to the COVID-19 pandemic, tens of millions of Americans have filed for unemployment during the COVID-19 pandemic; and

Whereas, Due to high levels of unemployment, aggregate wage levels are expected to continue to decline substantially this year, which may result in lower adjusted benefits by as much as roughly 9 percent, or \$2,511 annually, for those workers who turn 60 years of age in 2020 or 2021; and

Whereas, A median income worker who turns 60 years of age in 2020 or 2021, retires at the normal retirement age of 67 years of age, and collects Social Security benefits for 18 years may lose \$45,859 over the course of their retirement; and

Whereas, A decline in overall wages due to a pandemic should not produce lower benefits for a select group of retirees; and

Whereas, Retirees use Social Security benefits to supplement their income and pay for things like rent, food, clothing, medication, health care, and transportation; now, therefore, be it

Resolved by the Senate and the Assembly of the State of California, jointly, That we urge the United States Congress to amend the United States Social Security Administration's index of earnings to ensure that a decline in aggregate wages due to COVID-19 does not result in decreased benefits; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, the Commissioner of the Social Security Agency, the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, the Majority Leader of the United States Senate, the Minority Leader of the United States Senate, and to each Senator and Representative from California in the Congress of the United States.

POM-249. A resolution adopted by the Senate of the State of Michigan condemning the federal government's expansion of the Internal Revenue Service through the Inflation Reduction Act of 2022; to the Committee on Finance.

SENATE RESOLUTION No. 171

Whereas, The Inflation Reduction Act will allow nearly five hundred billion dollars in

new spending by our federal government over the next decade, with almost eighty billion dollars being directed to the Internal Revenue Service's (IRS) budget. The budget allocations of this law spell out the current Administration's big-government intentions for the future of the IRS. Over forty-five billion dollars will be directed to "enforcement" while a meager three billion is expected to be used for "taxpayer services." As part of these budgetary expansions, the IRS would hire eighty-seven thousand new employees, making this agency larger than the FBI, Pentagon, State Department, and Border Patrol combined. This Act is not intended to benefit Americans—it is just the latest development in this Administration's police state agenda; and

Whereas, This bloating of the IRS's budget and staff also comes at the same time Americans are learning of the massive stockpiling of weapons and ammunition by the government agency. The latest data, released in a 2020 report analyzing the militarization of federal agencies in years prior, found that the IRS had thousands of rifles, shotguns, pistols, and submachine guns as well as an arsenal of over five million rounds of ammunition. Additionally, a 2017 report by the Treasury Inspector General for Tax Administration found that the IRS's Criminal Investigation Division repeatedly violated the civil rights of Americans under the guise of enforcing tax laws and seizing taxpayer property. Michiganders are right to fear a massive budget expansion for a tax collection agency that feels it necessary to arm itself to the teeth in pursuit of collecting our citizens' hard-earned money with little to no restraint; and

Whereas, In 1974, then-President Gerald Ford warned Congress that "[a] government big enough to give you everything you want is a government big enough to take from you everything you have." This Administration represents just the latest installment in a half-century long tradition of paying no heed to past generations' commonsense understanding that government should play a minimal role in our lives. As the only President who was a fellow Michigander, it is appropriate for our citizens to take seriously President Ford's warning and strongly condemn this massive expansion of a federal agency that only exists by virtue of our collective tax dollars. The Inflation Reduction Act would hand over tens of billions of dollars to create an IRS big enough—and well-armed enough—to take whatever it wants from our citizens whenever it pleases; now, therefore, be it

Resolved by the Senate, That we condemn the expansion of the Internal Revenue Service through the Inflation Reduction Act of 2022; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, the Speaker of the United States House of Representatives, the President of the United States Senate, and the members of the Michigan congressional delegation.

POM-250. A joint resolution adopted by the Legislature of the State of California urging the United States Congress and the President of the United States to enact legislation, S. 3213, known as the IDEA Full Funding Act, which would fully fund the federal Individuals with Disabilities Education Act; to the Committee on Health, Education, Labor, and Pensions.

SENATE JOINT RESOLUTION No. 4

Whereas, The federal Education for All Handicapped Children Act of 1975 (Public Law 94-142) (1975 Act) was enacted by the United States Congress and signed into law by the President of the United States to address the failure of states to meet the educational needs of children with disabilities.

This act, known as the federal Individuals with Disabilities Education Act (IDEA) since 1990 with the enactment of Public Law 101-476, remains the cornerstone of federal statutory mandates governing special education; and

Whereas, The purpose of the 1975 Act, as declared by the United States Congress, was to ensure that all children with disabilities have available to them within specified time periods “a free appropriate public education which emphasizes special education and related services designed to meet their unique needs, to assure that the rights of children with disabilities and their parents or guardians are protected, to assist States and localities to provide for the education of all children with disabilities, and to assess and assure the effectiveness of efforts to educate children with disabilities”; and

Whereas, The 1975 Act authorized a maximum state funding entitlement of 40 percent for the fiscal year ending September 30, 1982, and for each fiscal year thereafter, of the average per-pupil expenditure in public elementary and secondary schools in the United States; and

Whereas, Since 1975, including in the most recent amendments to IDEA, the federal Individuals with Disabilities Education Improvement Act of 2004 (Public Law 108-446), the United States Congress has maintained the funding authorization at “40 percent of the average per-pupil expenditure in public elementary schools and secondary schools in the United States”; and

Whereas, The federal government has never paid its promised 40-percent share of the IDEA mandate. For many years, the United States Congress paid less than 8 percent of the excess cost of educating children with disabilities, which forced states and local educational agencies to cover the remaining costs. The California student population requiring special education and related services continues to grow each year; and

Whereas, School, disability, and parent groups have been trying for years to bring IDEA appropriations up to the authorized 40 percent of average per-pupil expenditures, the maximum any state can receive per student with disability. This effort has come to be known as “full funding,” but the effort has never succeeded; and

Whereas, The California Legislature, since the early 1990s, has approved a number of joint resolutions memorializing the President of the United States and the United States Congress to provide the full federal share of funding for special education programs to states so that this state and other states will not be required to take funding from other vital state and local programs to fund this underfunded federal mandate; and

Whereas, In the 2018-19 school year, federal funding only represented 8.4 percent of special education costs, well short of the promised 40-percent level; and

Whereas, Because the promised federal funding level is not being met, the burden has fallen on states and local school districts, which leads to cuts in programs, tax increases, or both; and

Whereas, A bill was introduced in the United States House of Representatives in 2017, H.R. 2902, known as the IDEA Full Funding Act, that aimed to reach the 40-percent “full funding” level by the 2027 fiscal year through incremental increases in the federal share of funding each fiscal year; and

Whereas, Another bill was introduced in the United States Senate in 2019, S. 866, known as the IDEA Full Funding Act, that aimed to reach the 40-percent “full funding” level by the 2029 fiscal year through incremental increases in the federal share of funding each fiscal year; and

Whereas, No vote was taken on H.R. 2902 by the 115th United States Congress even though it contained a bipartisan coalition of 119 cosponsors, and S. 866 died in the 116th United States Congress without a vote; and

Whereas, A bill is pending on the floor of the United States Senate, S. 3213, known as the IDEA Full Funding Act, which provides permanent, mandatory funding for the grant program that assists states and outlying areas in providing special education and related services to children with disabilities; now, therefore, be it

Resolved by the Senate and the Assembly of the State of California, jointly, That the Legislature respectfully memorializes the 117th Congress of the United States and the President of the United States to enact legislation, S. 3213, known as the IDEA Full Funding Act, which would fully fund the federal Individuals with Disabilities Education Act; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the Majority Leader of the Senate, to the Chair of the Senate Committee on the Budget, to the Chair of the House Committee on the Budget, to the United States Senate Committee on Appropriations, to the Chair of the House Committee on Appropriations, to each Senator and Representative from California in the Congress of the United States, and to the United States Secretary of Education.

POM-251. A joint resolution adopted by the General Assembly of the State of Tennessee strongly supporting the completion of the secure border wall across our nation's southern border and strongly urging the United States Congress to immediately act to fund the construction of such border wall without delay; to the Committee on Homeland Security and Governmental Affairs.

HOUSE JOINT RESOLUTION NO. 652

Whereas, the security of our nation's borders and the safety of our citizens are paramount to protecting the American way of life; and

Whereas, it is essential to the welfare of our nation that illegal immigration cease; and

Whereas, we should continue to safeguard our borders by completing the construction of the secure border wall on the southern border of the United States; and

Whereas, illegal immigrants who cross the southern border are not required to receive a vaccination against COVID-19; and

Whereas, it is known that at least eighteen percent of illegal immigrants who cross the southern border of the United States are infected with COVID-19 and are contributing to this country's national health crisis; and

Whereas, the members of this General Assembly have consistently taken steps to address illegal immigration within the borders of our great State and now wish to urge the United States Congress to address illegal immigration by completing the construction of the border wall; now, therefore, be it

Resolved by the House of Representatives of the One Hundred Twelfth General Assembly of the State of Tennessee, the Senate concurring, that we strongly support the completion of the secure border wall across our nation's southern border and strongly urge the United States Congress to immediately act to fund the construction of such border wall without delay; and be it further

Resolved, that certified copies of this resolution be transmitted to the President of the United States, the U.S. Secretary of Homeland Security, the Speaker and the Clerk of the United States House of Representatives,

the President and the Secretary of the United States Senate, and each member of the Tennessee Congressional delegation.

POM-252. A joint resolution adopted by the Legislature of the State of California recognizing October 12, 2021, as the 20-year anniversary of the enactment of the exemption from nonresident tuition for qualified students during the 2001-02 Regular Session and calling on the United States Congress to pass the American Families Plan and provide financial resources for undocumented students through the budget reconciliation process, and to adopt comprehensive immigration reform; to the Committee on the Judiciary.

SENATE JOINT RESOLUTION NO. 9

Whereas, Over 2,000,000 undocumented immigrants of all nationalities and backgrounds call California home, including over 183,000 Deferred Action for Childhood Arrivals recipients; and

Whereas, Undocumented pupils who have lived in the United States for five years or more graduate from high school every year; and

Whereas, Many undocumented pupils who arrive in the United States before 14 years of age desire to go on to college; and

Whereas, California has uplifted and empowered undocumented immigrants to seek a better life by providing pathways to public services and extending protections through sanctuary laws; and

Whereas, Undocumented immigrants have historically faced racism, poverty, and other barriers that restrict access to higher education and that limit their ability to work, contribute to California's economy, and provide for their families; and

Whereas, Nonresident tuition is cost prohibitive to undocumented students who already experience barriers to employment and lack of access to federal financial aid; and

Whereas, The passage of Assembly Bill 540 of the 2001-02 Regular Session (AB 540), authored by the late Assembly Member Marco Antonio Firebaugh and signed into law by former Governor Gray Davis on October 12, 2001, declared that long-term California residents, regardless of their citizenship status, would pay in-state fees at California public colleges and universities; and

Whereas, AB 540 established the right of undocumented students to seek a college degree, and the bill substantially increased their educational and economic opportunities to achieve their highest potential; and

Whereas, It is estimated between 75,000 and 156,000 undocumented students attend campuses of the California Community Colleges, 10,063 undocumented students attend campuses of the California State University, and over 4,000 undocumented students attend campuses of the University of California; and

Whereas, Approximately 62,000 students attending campuses of the California Community Colleges benefit from that exemption from nonresident tuition today; and

Whereas, That exemption from nonresident tuition expanded opportunities for a college education and reduced opportunity gaps for undocumented students by removing the burden of out-of-state tuition; and

Whereas, Without AB 540, and other subsequent college affordability measures like the California Dream Act, undocumented students would pay thousands of dollars in tuition and fees each year as nonresidents or international students; and

Whereas, California's higher education systems are committed to serving all students, regardless of their immigration status, and providing them with the supports, resources, and opportunities to pursue their educational goals; and

Whereas, The Budget Act of 2021 expands on the successful Dreamer Resource Liaison program by doubling the amount of funding, ensuring that the California Community Colleges, California State University, and University of California have the capacity and resources to support undocumented students; and

Whereas, The federal American Families Plan proposes a pathway to citizenship for undocumented students and expands access to federal financial aid, which will enable more undocumented students to pay for college, complete their studies, and contribute to the economy; and

Whereas, The passage of the federal American Families Plan will ensure a stable and welcoming future for undocumented students by allowing them to achieve their higher education goals and become fully participating members of their communities; and

Whereas, California's public higher education systems continue to combat persisting inequalities among this underserved population, develop pathways that foster access, equity, and inclusion, and advocate fiercely for the necessary policies and resources; now, therefore, be it

Resolved by the Senate and the Assembly of the State of California jointly, That the Legislature of the State of California hereby recognizes October 12, 2021, as the 20-year anniversary of the enactment of the exemption from nonresident tuition during the 2001–02 Regular Session; and be it further

Resolved, That the Legislature urges all residents of the state to celebrate the significance of that enactment in enabling more undocumented students to pursue a college education; and be it further

Resolved, That the Legislature calls on the United States Congress to pass the American Families Plan and provide financial resources for undocumented students through the budget reconciliation process, and to adopt comprehensive immigration reform; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and the Vice President of the United States, to the Speaker of the House of Representatives, to the Majority Leader of the Senate, to each Senator and Representative from California in the United States Congress, and to the author for appropriate distribution.

POM-253. A resolution adopted by the City Council of the City of Marathon, California urging the Florida Legislature to adopt Governor Ron Desantis's state fiscal year 2021–2022 Budget Recommendation to create the "Resilient Florida" Program; to the Committee on Commerce, Science, and Transportation.

POM-254. A resolution adopted by the City Council of the City of Marathon, California supporting SB 1086/HB 639 and additional amendment language addressing long-term anchoring, reflecting the continuing efforts of Florida Fish and Wildlife Conservation Commission to improve boater safety, reduce vessel dereliction, and improve marine sanitation to protect our natural marine resources, and in support of additional FWC staff and financial resources to adequately implement existing and new law enforcement measures; to the Committee on Commerce, Science, and Transportation.

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. SULLIVAN:

S. 5147. A bill to designate the Staten Island Unit of the Gateway National Recreation Area as the "Senator James L. Buckley Seashore"; to the Committee on Energy and Natural Resources.

By Ms. ERNST (for herself, Mr. TESTER, and Mr. BRAUN):

S. 5148. A bill to end unemployment payments to jobless millionaires; to the Committee on Finance.

By Mr. ROUNDS (for himself and Mr. RISCH):

S. 5149. A bill to amend title XVIII of the Social Security Act to exclude independent agents and brokers from requirement to record calls with beneficiaries under the Medicare Advantage and Prescription Drug Benefit programs; to the Committee on Finance.

By Mr. MURPHY (for himself and Mr. VAN HOLLEN):

S. 5150. A bill to amend the Public Health Service Act to provide additional transparency and consumer protections relating to medical debt collection practices; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MERKLEY:

S. 5151. A bill to prohibit individuals and entities from owning more than 100 single-family residences, and for other purposes; to the Committee on Finance.

By Mr. MARSHALL:

S. 5152. A bill to foster transparent crime data, to discourage no-cash bail, and for other purposes; to the Committee on the Judiciary.

By Mr. SULLIVAN:

S. 5153. A bill to amend title 18, United States Code, to require certain notice requirements by law enforcement officers of the Environmental Protection Agency before executing and serving warrants; to the Committee on Environment and Public Works.

By Mr. VAN HOLLEN:

S. 5154. A bill to promote the African Continental Free Trade Area, and for other purposes; to the Committee on Finance.

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

S. 5155. A bill to establish the Proprietary Education Interagency Oversight Coordination Committee and facilitate the disclosure and reporting of information regarding complaints and investigations related to proprietary institutions of higher education eligible to receive Federal education assistance; to the Committee on Health, Education, Labor, and Pensions.

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

S. 5156. A bill to amend the Justice for United States Victims of State Sponsored Terrorism Act to authorize appropriations for catch-up payments from the United States Victims of State Sponsored Terrorism Fund, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Ms. BALDWIN:

S. Res. 852. A resolution recognizing the 50th anniversary of the enactment of the Marine Protection, Research, and Sanctuaries Act of 1972, which provided for the establishment of national marine sanctuaries; to the Committee on Commerce, Science, and Transportation.

By Mr. MANCHIN (for himself, Ms. COLLINS, Ms. CANTWELL, Ms. HIRONO,

Mrs. FEINSTEIN, Mr. COONS, Mr. REED, Ms. KLOBUCHAR, Mr. BLUMENTHAL, Ms. HASSAN, Mr. WYDEN, Mr. VAN HOLLEN, Mr. PETERS, and Ms. MURKOWSKI):

S. Res. 853. A resolution recognizing November 2022, as "National Homeless Children and Youth Awareness Month"; considered and agreed to.

By Mr. DAINES (for himself, Mrs. FEINSTEIN, Mr. HICKENLOOPER, Mr. BARRASSO, Mr. PADILLA, Mr. CRAPO, Mr. RISCH, Mr. BOOZMAN, Ms. LUMMIS, and Mr. SULLIVAN):

S. Res. 854. A resolution honoring the individuals fighting and the individuals who have fallen responding to wildland fires during the ongoing 2022 wildfire season; considered and agreed to.

ADDITIONAL COSPONSORS

S. 5

At the request of Mr. CARPER, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 5, a bill to amend title XVIII of the Social Security Act to ensure appropriate supervision requirements for outpatient physical therapy and outpatient occupational therapy.

S. 673

At the request of Ms. KLOBUCHAR, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 673, a bill to provide a temporary safe harbor for publishers of online content to collectively negotiate with dominant online platforms regarding the terms on which content may be distributed.

S. 1136

At the request of Ms. CANTWELL, the names of the Senator from Nevada (Ms. ROSEN) and the Senator from Tennessee (Mrs. BLACKBURN) were added as cosponsors of S. 1136, a bill to amend the Internal Revenue Code of 1986 to reform the low-income housing credit, and for other purposes.

S. 1408

At the request of Mr. MARKEY, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 1408, a bill to posthumously award the Congressional Gold Medal, collectively, to Glen Doherty, Tyrone Woods, J. Christopher Stevens, and Sean Smith, in recognition of their contributions to the Nation.

S. 1625

At the request of Mr. CRAMER, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 1625, a bill to authorize notaries public to perform, and to establish minimum standards for, electronic notarizations and remote notarizations that occur in or affect interstate commerce, to require any Federal court to recognize notarizations performed by a notarial officer of any State, to require any State to recognize notarizations performed by a notarial officer of any other State when the notarization was performed under or relates to a public Act, record, or judicial proceeding of the notarial officer's State or when the