

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) is necessarily absent.

The result was announced—yeas 74, nays 25, as follows:

[Rollcall Vote No. 96 Ex.]

YEAS—74

Baldwin	Graham	Peters
Bennet	Hagerty	Reed
Blackburn	Hassan	Romney
Blumenthal	Heinrich	Rosen
Booker	Hickenlooper	Rounds
Boozman	Hirono	Sanders
Britt	Hoeven	Schatz
Brown	Hyde-Smith	Schumer
Budd	Kaine	Shaheen
Cantwell	Kelly	Sinema
Capito	Kennedy	Smith
Cardin	King	Stabenow
Carper	Klobuchar	Tester
Casey	Lujan	Thune
Cassidy	Manchin	Tillis
Collins	Markey	Tuberville
Coons	Marshall	Van Hollen
Cortez Masto	Menendez	Warner
Cotton	Merkley	Warnock
Cramer	Moran	Warren
Cruz	Murkowski	Welch
Duckworth	Murphy	Whitehouse
Durbin	Murray	Wyden
Fetterman	Ossoff	Young
Gillibrand	Padilla	

NAYS—25

Barrasso	Johnson	Rubio
Braun	Lankford	Schmitt
Cornyn	Lee	Scott (FL)
Crapo	Lummis	Scott (SC)
Daines	McConnell	Sullivan
Ernst	Mullin	Vance
Fischer	Paul	Wicker
Grassley	Ricketts	
Hawley	Risch	

NOT VOTING—1

Feinstein

The nomination was confirmed.

The PRESIDING OFFICER. 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.

RECESS

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

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

EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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 Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. TESTER. Madam President, I ask unanimous consent that I be recognized for 3 minutes.

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

CONFIRMATION OF JOSHUA DAVID JACOBS

Mr. TESTER. Madam President, last summer this body delivered on a promise to our toxic-exposed veterans. We passed a bill called the SFC Heath Robinson Honoring Our PACT Act.

With a historic number of veterans newly eligible for long-overdue benefits, the VA needs a steady, accountable hand to lead VA benefits and its more than 25,000 employees in delivering quality, timely benefits now more than ever.

About an hour and a half ago, we confirmed a person by the name of Josh Jacobs. He is that person who is going to be heading up VA benefits. He is that person with the steady hand. I am glad that this body came together in a bipartisan way to make him the permanent leader of the VBA.

The fact is, having a permanent leader in this role ensures that we can hold the VA accountable to their job, and that is critically important. I can't be prouder of this body to tell you that we have a person who not only understands benefits but has worked in this capacity for the past several months.

With that, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. TESTER. Madam President, I want to thank you for the recognition.

I would like to speak for 4 minutes, max.

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

VA MEDICINAL CANNABIS RESEARCH ACT OF 2023

Mr. TESTER. Madam President, I want to thank the body for this.

So we had a chance to do the right thing here, folks. We did the right thing with Josh Jacobs and veterans' benefits. Now we have the opportunity to pass the Elizabeth Dole Veterans Programs Improvement Act of 2023.

This legislative package includes five veterans bills that were considered and unanimously approved by the Senate Veterans' Affairs Committee back in February and delivers on many of our longstanding priorities for our veterans and leading veterans services organizations. I am going to tell you what it does, and then I am going to talk about something specifically.

It expands home- and community-based support for aging and disabled veterans—home- and community-based support.

Among other provisions, it also helps Native Americans and Alaskan Native veterans achieve homeownership by lowering interest rates on VA Native American direct loans and reforming this program so it can work for our veterans—particularly, our Native veterans.

The part that I understand that is controversial is that it directs the VA to explore medical cannabis as an alternative treatment for veterans experiencing chronic pain and symptoms of PTSD.

Why? So that we—but more, importantly, the veterans—have a better understanding of the role medicinal cannabis plays in treating the wounds of war.

The jury is still out on this. This adds a 2-year retrospective study that will take place prior to the VA's beginning clinical trials outlined in this legislation. It grants the Secretary of the VA authority to cancel clinical trials should the VA deem them to be unsafe, based on that retrospective study that I just talked about. It allows the Secretary the authority to cancel trials in the event that it is determined that the trials were exposing participants to excessive risk.

Quite frankly, as I said in my opening, it allows veterans the access to relevant information to make informed decisions about their own health and will shine light on an understudied topic, which is already being used by our veterans nationwide.

So the real question here is, Do I want our veterans to not understand the benefits or possibly the nonbenefits of medicinal marijuana or do we want to leave them out in the cold, not understanding what is going on?

The truth is, we all understand the impact opioids have had on this country, and if, in fact, it shows that medical marijuana or marijuana can have impacts that help people in chronic pain, we should know that information so we can pass it along to the veterans. It is as simple as that. The rest of these bills are absolute no-brainers, and I will tell you, I think the cannabis portion of this bill is a no-brainer.

Today, it is time to put political differences aside and do what is right for our veterans.

Look, don't let the haircut fool you—I did not serve in the military. I don't use marijuana. But the truth is, those people who think it works for them, they ought to know, and that is what this bill does.

I would encourage a vote for cloture on this bill. It is a good bill. It is a bill that the veterans service organizations have fought for and want to see happen.

I yield the floor.
The PRESIDING OFFICER (Ms. BALDWIN). The senior Senator from Kansas.

Mr. MORAN. Madam President, I ask unanimous consent that I be allowed to address the Senate for up to 5 minutes.

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

Mr. MORAN. Madam President, the legislation that is before us, the Veterans Programs Improvement Act, just came out of the Senate Veterans Affairs Committee. It is S. 326, as amended.

We are here on a motion for cloture, and this bill will be, as amended, a

combination of bills that are both Republican and Democratic bills, including one from the Senator who is presiding today. It includes a bill from Senator ROUNDS of South Dakota dealing with the loan process for Native American veterans. It includes a couple of pieces of legislation: the RESPECT Act, to help veterans with mental health or neurological conditions to get caregiver care; the Elizabeth Dole Act, to expand home- and community-based, long-term care programs so that veterans have more choices as they age; and the bill of the Presiding Officer that provides grants to county veterans service officers for outreach to veterans. In addition, it includes what has been perhaps the most discussed aspect of this piece of legislation: a bill that creates the authorization to allow for medical research for marijuana to be conducted—for cannabis to be conducted by the Department of Veterans Affairs. But it requires retrospective research to take a look at the research that has already been conducted and to go and conduct research with veterans who are currently using cannabis. The outcome of that study is unknown, but this is an effort to make certain that veterans are not doing something that is harmful to them and to make an informed decision several years from now about the relationship between veterans and cannabis.

The point I would like to make in my few comments today is that I have encouraged my colleagues to offer amendments. There are a lot of items that my particularly Republican colleagues—I understand there are Democratic colleagues who have amendments. While we have had some success this year in amendments coming to the Senate floor, I want to make certain that is the opportunity Republican colleagues and Democratic colleagues have as this bill—if it proceeds, that we have that opportunity.

I had those conversations with both the majority and the minority, and I look forward to enforcing as best I can the capability to make certain my colleagues have that opportunity. If that is not the case, I reserve the right to then oppose this legislation.

I yield the floor.

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 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. 32, S. 326, a bill to direct the Secretary of Veterans Affairs to carry out a study and clinical trials on the effects of cannabis on certain health outcomes of veterans with chronic pain and post-traumatic stress disorder, and for other purposes.

Charles E. Schumer, Jon Tester, Alex Padilla, Christopher Murphy, Jeff

Merkley, Michael F. Bennet, Tammy Baldwin, Richard J. Durbin, Mazie Hirono, Gary C. Peters, Margaret Wood Hassan, Brian Schatz, Tammy Duckworth, Catherine Cortez Masto, Cory A. Booker, Jack Reed, Raphael G. Warnock.

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 S. 326, a bill to direct the Secretary of Veterans Affairs to carry out a study and clinical trials on the effects of cannabis on certain health outcomes of veterans with chronic pain and post-traumatic stress disorder, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) is necessarily absent.

The yeas and nays resulted—yeas 57, nays 42, as follows:

[Rollcall Vote No. 97 Ex.]

YEAS—57

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

NAYS—42

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

NOT VOTING—1

Feinstein

The PRESIDING OFFICER (Mr. MURPHY). On this vote, the yeas are 57, the nays are 42.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The majority leader.

MOTION TO RECONSIDER

Mr. SCHUMER. Mr. President, first, to just inform folks, in our arcane processes in the Senate, I have to switch my vote from yes to no—even though I am a strong yes—in order to be able to reconsider this vote.

So I enter a motion to reconsider.

The PRESIDING OFFICER. The motion is entered.

Mr. SCHUMER. Mr. President, it is regrettable that this bill, which so much helps our veterans, went down. Our veterans need it. It was supported by all of our veterans groups. It had bipartisan, unanimous support in committee, and I hope that some of our Members on the other side of the aisle who didn't vote for it will reconsider.

ORDER OF PROCEDURE

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate resume legislative session; that the Committee on Environment and Public Works be discharged from further consideration of S.J. Res. 11; that the Senate proceed to its immediate consideration; that at 4:20 p.m., the joint resolution be considered read the third time and the Senate vote on passage without any further intervening action or debate; and that, upon disposition of S.J. Res. 11, the Senate resume the motion to proceed to S.J. Res. 4, the Equal Rights Amendment.

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

Mr. SCHUMER. I yield the floor.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

PROVIDING FOR CONGRESSIONAL DISAPPROVAL UNDER CHAPTER 8 OF TITLE 5, UNITED STATES CODE, OF THE RULE SUBMITTED BY THE ENVIRONMENTAL PROTECTION AGENCY RELATING TO "CONTROL OF AIR POLLUTION FROM NEW MOTOR VEHICLES: HEAVY-DUTY ENGINE AND VEHICLE STANDARDS"

The PRESIDING OFFICER. Under the previous order, the Committee on Environment and Public Works is discharged from further consideration of S.J. Res. 11, and the clerk will report the measure.

The legislative clerk read as follows:

A joint resolution (S.J. Res. 11) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Environmental Protection Agency relating to "Control of Air Pollution From New Motor Vehicles: Heavy-Duty Engine and Vehicle Standards".

The PRESIDING OFFICER. The Senator from Missouri.

JUSTICE FOR JANA ELEMENTARY ACT OF 2023

Mr. HAWLEY. Mr. President, in October of this past year, the parents and students of Jana Elementary School in Florissant, MO—that is in the greater St. Louis area—woke to find news of an independent study that had found nuclear radioactive contamination inside the school building at Jana Elementary. Now, sadly, this probably didn't come as a total shock to those residents who have lived in Florissant and in the surrounding area because for