

Charles E. Schumer, Richard J. Durbin, Edward J. Markey, Tammy Duckworth, Ben Ray Lujan, Margaret Wood Hassan, Christopher Murphy, Debbie Stabenow, Sheldon Whitehouse, Tina Smith, Tammy Baldwin, Angus S. King, Jr., Martin Heinrich, Raphael G. Warnock, Brian Schatz, Peter Welch, Jack Reed.

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 Dale E. Ho, of New York, to be United States District Judge for the Southern District of New York, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant executive clerk called the roll.

Mr. THUNE. The following Senator is necessarily absent: the Senator from South Carolina (Mr. SCOTT).

The yeas and nays resulted—yeas 50, nays 49, as follows:

[Rollcall Vote No. 160 Ex.]

#### YEAS—50

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

#### NAYS—49

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

#### NOT VOTING—1

Scott (SC)

The PRESIDING OFFICER (Mr. KELLY). On this vote, the yeas are 50, the nays are 49.

The motion is agreed to.

#### EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant executive clerk read the nomination of Dale E. Ho, of New York, to be U.S. District Judge for the Southern District of New York.

Thereupon, the Senate proceeded to consider the nomination.

The PRESIDING OFFICER. The Senator from West Virginia.

#### BROADBAND

Mrs. CAPITO. Mr. President, I rise to talk about something that is unseen but really impacts every aspect of our daily lives, something that has major implications on the future of my State and many rural States just like the Presiding Officer's rural areas, and that is reliable broadband connection and the implementation of service in our unserved and underserved areas.

Internet connection is something that we often take for granted, certainly in the DC area we do—especially in our cities and urban communities. It is a mainstay of so many facets of our life.

So just think about it. We rely on internet connection for our communication with our family and friends, our emergency services, obtaining information. I have already done that about five times today, getting some additional information—banking, conducting business, and as we experienced firsthand during the pandemic, essential aspects of our workforce participation, the education of our children, and I would add in healthcare here. Even as we transitioned back to in-person work and school post-pandemic, these capabilities are so essential and greatly beneficial.

In West Virginia, our State is the only State entirely encompassed by Appalachia, and we are recognized across the world for our mountainous terrain. So we love our mountains in West Virginia, but our topography in West Virginia has dealt us a challenging hand when it comes to adopting needed advancements to connect people to the internet.

So we know one thing: It is expensive, and it is a lot easier said than done. But this lack of broadband connectivity and reliability is one of the biggest concerns that I hear every time I travel in the State. That is because our homes, our schools, our hospitals, our health clinics, our churches, our businesses, if they lack the appropriate level of connectivity or lack it entirely, you are behind. You are behind. You are not participating. You can't get the help that you need. You can't communicate the way you want to. And in a lot of cases, you are not going to live in a place that doesn't have connectivity. So this is something that must change and something that I am committed to changing.

So one of my first initiatives as a U.S. Senator was launching my Capito Connect Plan to help bridge this digital divide that we see in the country. The plan served as a roadmap for bringing affordable, high-speed internet connection and access to our homes, our businesses, and our classrooms throughout the State. Since launching this initiative, we have made a lot of progress—we have—connecting our communities in our State. We have had a lot of conversation, and, really, we have kind of bridged a lot of what we thought would be the impossible.

We have expanded cellular service in Paw Paw, a very remote area, and in

Lincoln County, a very rural area, by initiating searches for providers. We have secured millions of dollars in broadband funding investments through the USDA programs, and we have hosted multiple visits with our FCC officials to bring attention to our State's broadband needs.

Increasing rural broadband funding has been a focus of the Appalachian Regional Commission. I have also supported major broadband builds like Zayo's announcement to connect a fiber optic network right through the North Central part of our State. We have also been receiving critical feedback from listening sessions in all 55 counties, including soliciting all kinds of data back from folks in West Virginia onto our website. Also, when we were leading efforts to craft the bipartisan infrastructure law, I made sure, along with many others, that this was included because this is an essential part of our infrastructure. And we are making a difference.

So we have made a lot of advances. We have. But there is still much more work to accomplish. Now is not the time to look back and see what we didn't do and how maybe we could have done it better. Now is the time to look forward and see where we are and where we are going to be. So we are at a really critical moment here and one we must take advantage of.

We have all prioritized funding and provided funding for broadband in many different pieces of legislation. We have done that every year in appropriations—and I am on appropriations—and I personally have made sure that we have included this not just in the appropriations bill but also in the bipartisan infrastructure package.

So, on Monday, I was back home in West Virginia and got the chance to speak to some of the greatest young men and women in our State at West Virginia Girls State and West Virginia Boys State. It is clear in talking to some of them that our best and brightest are unlikely to stay in our State if they don't have this reliable broadband. It just doesn't make sense. The lack of internet connectivity will impact how they join the workforce, how they further their education or perform the tasks of everyday living that have become so dependent on broadband.

So Congress has a much needed and very important role to play here, and I am confident in our ability to rise to this occasion in the face of this challenge.

But in order to distribute the unprecedented funding that is coming from the bipartisan infrastructure law to the communities and States that need it, we have got to have accurate data.

This has been a flaw in the system. That is why NTIA and FCC have been tasked with developing the National Broadband Map, to determine where the unserved and the underserved communities were located.

Why is that important? Because much of the funding, as it should be, is

not to up your service in an urban area or up my service in Charleston, WV, in a more, I would say, suburban-type area, but it is to go to these unserved and underserved areas. We have to have accurate data. So with accurate data, we can work and distribute funding as we should, as is proper.

There is no doubt that the first maps that came out in November were inaccurate. They failed to properly account for the connectivity needs—I know I can speak for my State, but I am sure it is the same all across the country. And this is something that our State of West Virginia, we really took it personally because we know that this is a once-in-a-lifetime chance to really get it right.

So they invited challenges. They said if you can identify a residence or a home or business that is shown as being served, and you are unserved or underserved, then you can challenge the map to say that is an inaccurate recording of the status of broadband activity.

So we had over 120,000 challenges of which 86,000 of these were accepted. That means they went back and looked, and working with our State broadband council that has done a phenomenal job, they went back and looked and found that 86,000 homes or businesses that were recorded as being served in actuality had either no service or very little service—something that was considered underserved. This is going to help us as the distribution of the larger sums of money come to actually provide the dollars to get to those places.

These developments are encouraging and the FCC will continue to improve this and two future versions are being planned.

The need for connectivity remains. Updated mapping shows that over 271,000 locations in my State now remain without service. I think some people watching this would probably say: It can't possibly be that you don't have service. But if you get to some of these remote areas, and sometimes they are not even that remote, you get out into some of the more rural areas where there is maybe one provider or there is no competition, it is not an economic model to serve one home that is 10, 15 miles away.

So there are people. When I get a show of hands in classrooms in West Virginia, I get at least 20 percent to 30 percent of the students in those classrooms do not have good service. Think about doing their homework when they get home. They can't do it. Most of it relies on information that you get from the internet. So it really puts those students and those families behind.

While funding will be allocated by the end of this month, we have to make sure also that it is not wasted. Sadly, we have seen this happen. In our own State in 2010, money was wasted when our first chance came along to be able to connect more people. So we have to make sure that that doesn't happen.

That is why I have introduced the Rural Broadband Protection Act. It is a bill with broad bipartisan support that would improve government programs responsible for connecting people. I look forward to marking up this legislation in committee here soon.

West Virginians have been persistent and diligent and, honestly, I think, quite patient—but are now very frustrated—throughout the process. They can always expect the same from me, as however they are feeling is however I am going to feel, because that is how you are as a representative.

So I will continue my efforts for these broadband capabilities—to go to that last house, that last home, that last business—in this Mountain State. We are on the cusp, I think, of a major breakthrough here—we are all on board on this—and one that I am committing to see through.

With that, I yield the floor.

The PRESIDING OFFICER (Ms. CORTEZ MASTO). The Senator from Kansas.

Mr. MORAN. Madam President, I rise this afternoon to discuss, along with a number of my other colleagues who share the understanding, the importance of broadband access, especially to rural America.

A recent study by the University of Kansas found that up to 1 million Kansans live in regions that lack access to high-speed broadband services. Often, rural areas have the worst quality broadband or, as is too often the case, they have no access to broadband.

The benefits of access to high-quality broadband are clear. They are known. We have worked hard to be in positions here in the U.S. Senate in which we are fully engaged on the issue of making sure that all Americans have access to this service. Broadband access is correlated with more jobs, greater economic growth, better healthcare outcomes, and increased educational performance.

This means our country will be weaker as we confront the economic and security challenges we are facing, including labor shortages, STEM education shortcomings, and the lagging American leadership in key technology areas. When millions are without broadband, we limit our potential as a nation.

Lack of access or lack of access to good-quality broadband is certainly a local issue. It is an individual issue. It is a local business, a local family, a local school, a local library issue. But the consequence of those individuals, those families, those schools being absent broadband service is a detriment to our Nation.

Recognizing the importance of access to high-quality broadband, Congress has allocated significant resources to help bridge the digital divide, but the first step in appropriately allocating those resources is knowing where the money needs to go.

I sponsored the Broadband DATA Act, which was enacted in 2020, to require the FCC to use granular data to

create a more accurate and refined broadband map to better target areas so we know where the new investments are needed. Getting these maps right is critical and has not been easy. The first time I saw the maps that were developed, it was like, this doesn't reflect at all what I know about my home State of Kansas.

Congress has devoted significant resources. We were involved in the effort to allocate additional dollars so that broadband maps could be updated and the data could be improved and hopefully get the information correct. We have been working on this since 2020.

If the FCC maps aren't accurate, a large portion of funding will be poorly used, and areas in need won't get the resources required to increase access to broadband. Millions of dollars in new resources for Kansas rely upon the accuracy of the maps. It would be poor government and a waste of taxpayer dollars if the outcome is that we are only providing money to places that already have broadband service or have quality broadband service and once again forgetting, forgoing those that don't.

The FCC is required to allow Americans to challenge the inaccuracies within the maps, making certain the maps improve over time. After receiving feedback from Kansans over the last few weeks and months, a second version of the map was released at the end of May. I understand from talking with Kansans that this map is more accurate than the one before. Continued oversight of the FCC's work will be necessary, and I continue to work with my colleagues on those efforts.

Now that we know where the need exists—now that we better know where the need exists, we need to make certain that investments are appropriately targeted to those most in need and not waste it on overbuilding existing networks. We also must ensure that the program requirements encourage broadband providers to participate rather than discourage them with burdensome requirements that do not line up with congressional intent.

I also want to make certain that every dollar Congress has allocated to broadband deployment actually goes to broadband deployment, not back to the Treasury. This is why, in a bipartisan way, we have introduced legislation to ensure that broadband grants are not considered taxable income. This is particularly important as critical broadband deployment programs at the Department of Commerce allocate funds at the end of this month, just a few days from now. Every dollar taken back by Treasury represents a community remaining disconnected, and I encourage my colleagues to work with me so this is not the case.

As part of my oversight work as the ranking member of the Commerce, Justice, Science Appropriations Subcommittee, I invited Commerce Secretary Gina Raimondo to Kansas to hear directly from Kansans about the

challenges they face when deploying broadband across our State. She heard from County Commissioner Randy Leis about the benefits broadband access has brought to Meade County, including education and business opportunities. She also heard from a host of rural telephone and telecom providers about what they need from the Department of Commerce to successfully deploy broadband across Kansas.

During this visit, Secretary Raimondo—and I express my appreciation here today on the Senate floor. I appreciate her coming to my State to hear and see what is the circumstance. During this visit, Secretary Raimondo reiterated her commitment to provide every Kansan with access to high-quality broadband services.

To preserve the smalltown Kansas way of life that I and many Kansans and Senators here today value, I look forward to working with Federal and State officials to make certain that Kansas and particularly rural Kansans are connected to quality broadband service. Of all the things we do in my world to try to make sure Kansans have a bright future, one of the important ones is to make sure we have access to the technologies of today and tomorrow.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. BUDD. Madam President, over the last several years, much has been made about the digital divide that exists here in America. The more digital the economy becomes, the bigger the divide between big cities and small towns.

As someone who still lives on a family farm in Davie County in North Carolina, I have always made it a priority to stand up for North Carolinians who don't have the advantage of large population centers. Rural Americans across our State and our Nation shouldn't have their economic opportunities diminished because of their ZIP Code.

One of the biggest challenges we face in bridging the digital divide is politicalization. An example of this is the Broadband, Equity, Access, and Deployment—or BEAD—Program. This program provides “over \$42 billion to expand high-speed internet access by funding planning, infrastructure deployment and adoption programs” across the country, but once the Biden administration got a hold of this funding, they began funneling it toward their liberal wish list instead of toward commonsense broadband deployment.

Another example is the Biden administration's Notice of Funding Opportunity, which gives favorable treatment to government-owned networks over private ones, and they load up that funding with climate mandates that drive up costs for these communities. This is fundamentally the wrong approach.

At the end of the day, what rural Americans are looking for is pretty straightforward: They want the highest

quality internet for the most affordable price as quickly as possible.

This is not the time or place for social agendas or for partisan distractions. We have to keep our eye on bridging the digital divide so that rural Americans have a fair shot at opportunities where they can achieve their God-given potential. This is just one more way we can build a strong nation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. TUBERVILLE. Madam President, I join my Republican colleagues on the floor today in support of expanding broadband access across rural America.

I recently had the honor of becoming ranking member of the Agriculture Committee's Subcommittee on Rural Development and Energy, which has jurisdiction over the U.S. Department of Agriculture's broadband programs. My top priority as ranking member is expanding broadband access to unserved populations that need it most so our rural communities are not left behind.

In today's economy, people need fast and reliable internet to work, to go to school, have virtual meetings, and even see their doctors through telemedicine. Our farmers need an internet signal to operate their farms, their facilities, drive tractors, irrigate crops, apply pesticides, and implement precision agriculture technologies. Without it, they do not have an opportunity to compete.

Recently, the USDA increased the requirements for sufficient broadband access from speeds of 25 over 3 megabits per second to 100 over 20 megabits per second download and upload speeds. Yet 1 out of 10 people in my State of Alabama didn't even meet the previous 25-over-3 threshold. So why change it? Either don't change it or build better broadband.

I am grateful to the chairman of the Rural Development Subcommittee, Senator WELCH of Vermont, for his hard work and partnership on this bipartisan issue. The subcommittee recently held our first meeting, and it was a success. It was exactly what we needed. We had a great discussion with witnesses and colleagues on the importance of broadband.

Later this year, we will have a farm bill coming up in Congress—very important. We need to ensure that expanding rural broadband is included in this year's farm bill.

Also, earlier this year, I was proud to join a bipartisan group of my colleagues to introduce the Broadband Grant Tax Treatment Act. This bill would amend the Tax Code to ensure that Federal grant funding for broadband isn't considered taxable income. It just doesn't make sense to fund broadband and then tax broadband users for using it.

I want to thank my colleagues who are here on the floor today for their support, and I want to encourage all of my colleagues to join us in this effort.

Rural broadband is vital for the success of our rural communities and for the entire economy.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MARSHALL. Madam President, for the past 6 years, my staff, my family, and I have traveled to every corner of the State. We have crisscrossed it multiple times. We have been in every county in Kansas multiple times—town halls and roundtables and listening sessions. In fact, just last week—the last week we were on break—we probably made a dozen stops. At every one of those stops, at every one of those roundtables, I can guarantee you the subject of high-speed internet came up.

Together, we built solutions to address the challenges our rural areas are facing. Together, we built hospitals, municipal water facilities, grocery stores, and critical infrastructure in our State's communities. But despite all of these achievements, many Kansans agree that one job is still not finished, and that is the crucial task of building out high-speed broadband connectivity to every part of the State.

Nothing highlighted the inadequate infrastructure for high-speed broadband across Kansas more than the COVID-19 lockdowns. Our schools and businesses across the State were shut down. Hundreds of thousands of Kansans were sent home to do their jobs and schoolwork. A lackluster internet connection impacted children's education across the State and many families' ability to keep up with remote work.

Rural broadband's impacts go far beyond the classroom for our Kansas communities. In today's quickly evolving cyber world, adequate internet connection is a necessity, not just a luxury. Doctors at my alma mater, KU Med Center in Wichita, are trying to offer clinical trials to rural Kansan participants through secure video checkups. Having a premier healthcare virtual consultation option in communities where there is a shortage of access to quality care can save the patient hours of driving and, in many cases, save their lives.

In addition to healthcare benefits, having high-speed internet brings our farming techniques into the 21st century. In rural areas, the capability of using the best technology available in farming practices depends on a reliable internet connection. Precision agriculture internet apps allow farmers to monitor conditions—hour by hour, second by second—more effectively in the field, and they can track crop yields and feed the world, producing more food with less—more food with less water, more food with less fertilizers.

By utilizing this latest farm equipment, our State's farmers and ranchers are able to leave the land cleaner, healthier, and safer than when we found it.

Madam President, the call for a strong internet connection across Kansas has only grown. That is why I rise

today to highlight the importance of broadband expansion.

There is still so much work to be done to get rural America up to speed, and I realize this work will never be done, just like our roads and bridges that were amplified so much in the 1950s and 1960s. We still have to go back and repair those roads and bridges. There is always one more road and bridge that we need to go back and fix, and that will be the rule with high-speed internet. There is always something bigger and faster out there that we need to keep pace.

I am proud to have played a role as a member of the Kansas House Agriculture Committee in 2018 when we drafted the farm bill, which directed both the USDA and FCC with dollars to fund new and innovative ways to connect rural residents.

In 2018, we authorized the ReConnect Program at the USDA, which awarded funding for broadband connectivity services to under- and unserved areas. ReConnect provided \$5.2 million to connect over 1,300 households, 16 businesses, and 23 farms in Kansas during its first round of funding.

In 2023, we introduced a new effort in the 2023 farm bill, with my colleague and fellow member of the Senate Agriculture Committee, Senator PETER WELCH of Vermont. The ReConnecting Rural America Act provides a minimum speed of 100/100 high-speed internet build-out speeds, prioritizing long-term broadband infrastructure in our most rural communities.

Every Kansan I have spoken to has voiced the need for symmetrical speeds in their community and for increasing investments in fiber to be made by providers. By bolstering broadband infrastructure for our rural communities, we are able to stay up to speed with what is happening in the rest of the world.

Through these Federal efforts, combined with the administration of funds at the State level, I believe that we are getting closer than ever to making a real impact in rural broadband connectivity. Still, we must stay dedicated to the task at hand and ensure that this infrastructure is built to last.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. ROSEN). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### ARTIFICIAL INTELLIGENCE

Mrs. BLACKBURN. Madam President, yesterday, the Judiciary Committee's Subcommittee on Human Rights and the Law hosted a hearing to examine the rise of artificial intelligence. In the last few months, we have had a lot of conversations here about AI, and I am grateful that we are looking at this issue. Although there are many areas

where we disagree, our colleagues on each side of the aisle are paying close attention to this issue. I would encourage my colleagues to review the high points of yesterday's hearing because it truly demonstrated the scope of the challenges that we find ourselves facing.

We fielded several firsthand accounts of how this technology can be weaponized against human beings in our homes and on a national scale. We heard from Jennifer DeStefano, who was the victim of an attempted AI kidnapping and extortion scheme. Scam artists used AI to clone her 15-year-old daughter Brie's voice and then used this manufactured recording to try and extort \$1 million in ransom.

Fortunately, Jennifer was able to confirm that Brie was safe. But you can see how criminals could, and indeed will, and certainly are beginning to leverage this technology against other families.

We also heard from Jeffrey Cain, an investigative journalist who has witnessed how destructive AI can be in the hands of oppressive governments. He has reported extensively on how the Chinese Communist Party is using AI to enhance their brutal surveillance state.

According to one account, the CCP has used facial recognition to track the movements of Chinese citizens. They have even used it to track their citizens as young as 9 days old. This is how the Chinese Communist Party is using this technology.

One of the things that we have learned is that China and the CCP are trying to control the market for artificial intelligence, just the same that we have learned they are doing for 5G, for quantum computing, and for other groundbreaking technologies.

They said as much back in 2017, when they released their national AI development plan. Their goal is to be the dominant force in artificial intelligence by the time we reach 2030.

But whether we are talking about the threat from scam artists or hostile foreign powers, it is time to prove that the U.S. Senate understands why we must lead in setting the standards for and developing artificial intelligence, rather than ceding this authority and this place to Xi Jinping and the Chinese Communist Party.

That means continuing the work that we started in yesterday's hearing. It is important to note this was a bipartisan hearing. Chairman OSSOFF did a great job in leading this discussion. We had great participation in this hearing.

And we have to continue to look at the uses of artificial intelligence. There are some for good, and there are some for evil, which is what we heard so much about yesterday and how it impacts human rights.

As we think about deploying AI on a broad scale, we need to focus on preserving the freedoms and the democratic values that we hold dear here in

our country. It also means finally enacting a national data privacy standard to govern the collection and the sharing of our personal information.

One of our witnesses, Alexandra Givens, mentioned that this needed to be done as a fundamental foundational element before we begin to look at guardrails for AI, giving individuals the ability to protect their virtual views themselves and their information in the virtual space.

This is something that, as policy-makers, we need to make sure that our existing laws can adapt to meet the challenge that is before us as we look at artificial intelligence.

I yield the floor.

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

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

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"—VETO

Mr. SCHUMER. Madam President, I ask unanimous consent that the veto message on S.J. Res. 11 be considered as having been read and be printed in the RECORD and spread in full upon the Journal.

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

The veto message was ordered to be printed in the RECORD, as follows:

*To the Senate of the United States:*

I am returning herewith without my approval S.J. Res. 11, a resolution that would disapprove the rule entitled "Control of Air Pollution From New Motor Vehicles: Heavy-Duty Engine and Vehicle Standards."

This rule amends the Environmental Protection Agency's heavy-duty emissions control program—including its standards, test procedures, and other requirements—to further reduce the air quality impacts of heavy-duty engines. The rule cuts pollution, boosts public health, and advances environmental justice in communities across the country. It will prevent hundreds, if not thousands, of premature deaths; thousands of childhood asthma cases; and millions of missed school days every year.

The resolution would deny communities these health benefits by resulting in weaker emissions standards for heavy-duty vehicles and engines, which are significant sources of pollutants that threaten public health. If enacted,