

PRESIDENTIAL MESSAGE

REPORT RELATIVE TO THE ISSUANCE OF AN EXECUTIVE ORDER AUTHORIZING THE SECRETARY OF DEFENSE AND THE SECRETARY OF HOMELAND SECURITY WITH RESPECT TO THE COAST GUARD WHEN IT IS NOT OPERATING AS A SERVICE IN THE DEPARTMENT OF THE NAVY, TO ORDER TO ACTIVE DUTY MEMBERS AND UNITS OF THE SELECTED RESERVE AND APPROPRIATELY DESIGNATED INDIVIDUAL READY RESERVE MEMBERS TO AUGMENT THE ACTIVE FORCES FOR OPERATION ATLANTIC RESOLVE TO ENHANCE THE UNITED STATES' ABILITY TO SUSTAIN ITS HEIGHTENED LEVEL OF PRESENCE AND OPERATIONS IN SUPPORT OF UNITED STATES EUROPEAN COMMAND—PM 20

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Armed Services:

To the Congress of the United States:

In accordance with section 12304(f) of title 10, United States Code, I am providing notice that I have authorized the Secretary of Defense and the Secretary of Homeland Security with respect to the Coast Guard when it is not operating as a service in the Department of the Navy, to order to active duty members and units of the Selected Reserve and appropriately designated Individual Ready Reserve members, without the consent of the member concerned, pursuant to 12304(a) of title 10, United States Code. Reserve mobilizations under this authorization are not to exceed 3,000 total members at any one time, of whom not more than 450 may be members of the Individual Ready Reserve. These Reserve Component forces are to augment the active forces for Operation Atlantic Resolve to enhance the United States' ability to sustain its heightened level of presence and operations in support of United States European Command.

A copy of the Executive Order I have issued is enclosed.

JOSEPH R. BIDEN, Jr.
THE WHITE HOUSE, July 13, 2023.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-1640. A communication from the Assistant Secretary for Legislative Affairs, Department of Homeland Security, transmitting a legislative proposal entitled "To extend the authority to provide employees of the U.S. Secret Service with overtime pay beyond other statutory limits, and for other purposes"; to the Committee on the Judiciary.

EC-1641. A communication from the Secretary, Judicial Conference of the United States, transmitting, a report relative to Article III judgeship recommendations for the 118th Congress; to the Committee on the Judiciary.

EC-1642. A communication from the Secretary of the Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled "Withdrawal of the Statement of Enforcement Principles Regarding Unfair Methods of Competition" under Section 5 of the FTC Act" received in the Office of the President of the Senate on June 22, 2023; to the Committee on the Judiciary.

EC-1643. A communication from the Secretary of the Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled "Statement of the Commission on Use of Prior Approval Provisions in Merger Orders" received in the Office of the President of the Senate on June 22, 2023; to the Committee on the Judiciary.

EC-1644. A communication from the Secretary of the Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled "Revised Jurisdictional Thresholds for Section 8 of the Clayton Act" received in the Office of the President of the Senate on June 22, 2023; to the Committee on the Judiciary.

EC-1645. A communication from the Secretary of the Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled "Policy Statement on Enforcement Related to Gig Work" received in the Office of the President of the Senate on June 22, 2023; to the Committee on the Judiciary.

EC-1646. A communication from the Secretary of the Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled "Revised Jurisdictional Thresholds for Section 7A of the Clayton Act" received in the Office of the President of the Senate on June 22, 2023; to the Committee on the Judiciary.

EC-1647. A communication from the Agency Representative, Patent and Trademark Office, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Setting and Adjusting Patent Fees During Fiscal Year 2020" (RIN0651-AD31) received in the Office of the President of the Senate on June 22, 2023; to the Committee on the Judiciary.

EC-1648. A communication from the Agency Representative, Patent and Trademark Office, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Reducing Patent Fees for Small Entities and Micro Entities Under the Unleashing American Innovators Act of 2022" (RIN0651-AD66) received in the Office of the President of the Senate on June 22, 2023; to the Committee on the Judiciary.

EC-1649. A communication from the Section Chief of the Diversion Control Division, Drug Enforcement Administration, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Reporting Theft or Significant Loss of Controlled Substances" (RIN1117-AB57) (Docket No. DEA-574) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2023; to the Committee on the Judiciary.

EC-1650. A communication from the Deputy Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled "2023 National Strategy for Child Exploitation Prevention and Interdiction"; to the Committee on the Judiciary.

EC-1651. A communication from the Chief Human Capital Officer, Small Business Administration, transmitting, pursuant to law, a report relative to a vacancy in the position

of Deputy Administrator, Small Business Administration, received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2023; to the Committee on Small Business and Entrepreneurship.

EC-1652. A communication from the Regulation Development Coordinator, Office of Regulation Policy and Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Allowances for Caskets and Urns for Unclaimed Remains of Veterans" (RIN2900-AR36) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2023; to the Committee on Veterans' Affairs.

EC-1653. A communication from the Attorney-Advisor, Office of General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy in the position of Administrator, Federal Aviation Administration, Department of Transportation, received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1654. A communication from the Attorney-Advisor, Office of General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy in the position of Administrator, National Highway Traffic Safety Administration, Department of Transportation, received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1655. A communication from the Chair, National Transportation Safety Board, transmitting, pursuant to law, the report of a rule entitled "Internal Personnel Rules and Practices of the NTSB" (RIN3147-AA23) received in the Office of the President of the Senate on June 22, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1656. A communication from the Deputy Chief, Space Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Revising Spectrum Sharing Rules for Non-Geostationary Orbit, Fixed-Satellite Service Systems" ((IB Docket No. 21-456) (FCC 23-29)) received in the Office of the President of the Senate on June 22, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1657. A communication from the Secretary of the Interior, transmitting, pursuant to law, a report relative to the Pelly Amendment to the Fisherman's Protective Act of 1967; to the Committee on Commerce, Science, and Transportation.

EC-1658. A communication from the Secretary of the Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled "Adjustments to Civil Penalty Amounts" received in the Office of the President of the Senate on June 22, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1659. A communication from the Secretary of the Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled "Standards for Safeguarding Customer Information" (RIN3084-AB35) received in the Office of the President of the Senate on June 22, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1660. A communication from the Secretary of the Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled "Guides Concerning the Use of Endorsements and Testimonials in Advertising" received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1661. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Pesticide Tolerances; Implementing Registration Review Decisions for Certain Pesticides; Aluminum tris (O-ethylphosphonate), Carbon disulfide, et al." (FRL No. 10840-01-OCSPP) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2023; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1662. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Benzpyrimoxan; Pesticide Tolerances" (FRL No. 11057-01-OCSPP) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2023; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1663. A communication from the Under Secretary of Defense (Acquisition and Sustainment), transmitting, pursuant to law, a report relative to a review of the MQ-4C Triton program; to the Committee on Armed Services.

EC-1664. A communication from the General Counsel of the National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled "Subordinated Debt" (RIN3133-AF08) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2023; to the Committee on Banking, Housing, and Urban Affairs.

EC-1665. A communication from the General Counsel of the National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled "Chartering and Field of Membership" (RIN3133-AF06) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2023; to the Committee on Banking, Housing, and Urban Affairs.

EC-1666. A communication from the General Counsel of the National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled "Temporary Regulatory Relief in Response to COVID-19-Prompt Corrective Action" (RIN3133-AF19) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2023; to the Committee on Banking, Housing, and Urban Affairs.

EC-1667. A communication from the General Counsel of the National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled "Temporary Regulatory Relief in Response to COVID-19-Prompt Corrective Action" (RIN3133-AF19) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2023; to the Committee on Banking, Housing, and Urban Affairs.

EC-1668. A communication from the General Counsel of the National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled "Interagency Guidance on Credit Risk Review Systems" ((RIN3064-ZA09) (RIN3133-AF05)) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2023; to the Committee on Banking, Housing, and Urban Affairs.

EC-1669. A communication from the General Counsel of the National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled "Interagency Guidance on Credit Risk Review Systems" ((RIN3064-ZA09) (RIN3133-AF05)) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2023; to the Committee on Banking, Housing, and Urban Affairs.

EC-1670. A communication from the General Counsel of the National Credit Union

Administration, transmitting, pursuant to law, the report of a rule entitled "Civil Monetary Penalty Inflation Adjustment" (RIN3133-AF34) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2023; to the Committee on Banking, Housing, and Urban Affairs.

EC-1671. A communication from the General Counsel of the National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled "Civil Monetary Penalty Inflation Adjustment" (RIN3133-AF40) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2023; to the Committee on Banking, Housing, and Urban Affairs.

EC-1672. A communication from the General Counsel of the National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled "Fees Paid by Credit Unions" (RIN3133-AF24) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2023; to the Committee on Banking, Housing, and Urban Affairs.

EC-1673. A communication from the General Counsel of the National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled "Technical Amendments" (RIN3133-AF22) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2023; to the Committee on Banking, Housing, and Urban Affairs.

EC-1674. A communication from the General Counsel of the National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled "Role of Supervisory Guidance" (RIN3133-AF28) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2023; to the Committee on Banking, Housing, and Urban Affairs.

EC-1675. A communication from the General Counsel of the National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled "Corporate Credit Unions" (RIN3133-AF13) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2023; to the Committee on Banking, Housing, and Urban Affairs.

EC-1676. A communication from the General Counsel of the National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled "Real Estate Appraisals" (RIN3133-AF17) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2023; to the Committee on Banking, Housing, and Urban Affairs.

EC-1677. A communication from the General Counsel of the National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled "Joint Ownership of Share Accounts" (RIN3133-AF11) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2023; to the Committee on Banking, Housing, and Urban Affairs.

EC-1678. A communication from the General Counsel of the National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled "Real Estate Appraisals" (RIN3133-AE98) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2023; to the Committee on Banking, Housing, and Urban Affairs.

EC-1679. A communication from the Senior Congressional Liaison, Legislative Affairs, Bureau of Consumer Financial Protection, transmitting, pursuant to law, a report entitled "2022 Fair Lending Report of the Consumer Financial Protection Bureau"; to the Committee on Banking, Housing, and Urban Affairs.

EC-1680. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a report relative to operation of the Exchange Stabilization Fund (ESF) for fiscal year 2022; to the Committee on Banking, Housing, and Urban Affairs.

PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM-33. A concurrent resolution adopted by the Legislature of the State of Hawaii urging the President of the United States to publish the Equal Rights Amendment as the Twenty-eighth Amendment to the Constitution of the United States of America; to the Committee on the Judiciary.

HOUSE CONCURRENT RESOLUTION NO. 200

Whereas, in 1972, the ninety-second Congress of the United States, at its second session, in both houses, by a constitutional majority of two-thirds, adopted the following proposition to amend the Constitution of the United States of America:

"JOINT RESOLUTION RESOLVED BY THE HOUSE OF REPRESENTATIVES AND SENATE OF THE UNITED STATES OF AMERICA IN CONGRESS ASSEMBLED (TWO-THIRDS OF EACH HOUSE CONCURRING THEREIN), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as a part of the Constitution when ratified by legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

"ARTICLE

Section 1. Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex.

Section 2. The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article.

Section 3. This amendment shall take effect two years after the date of ratification.""; and

Whereas, Article V of the Constitution of the United States sets forth a two-step amending procedure; and

Whereas, the first step of the Article V amending procedure is proposal of an amendment either by two-thirds vote of both houses of Congress or by a convention called by application of two-thirds of the states; and

Whereas, the second and final step of the Article V amending procedure is ratification of an amendment by three-fourths of the states; and

Whereas, the Constitution of the United States does not limit the time for states to ratify an amendment; and

Whereas, to have full force and effect, any substantive change to the Constitution of the United States, such as a time limit on ratification, must be within the text of an amendment, where it can also be approved by states as part of each of the two steps of the Article V amending procedure—a proposal step and a ratification step; and

Whereas, in the proposal step for the Equal Rights Amendment, the time limit on state ratification was only in the preamble section of the resolution by Congress and not within the text of the amendment presented to the states for state approval; and

Whereas, in the ratification step, the states ratified only the text of the Equal Rights Amendment; and

Whereas, a time limit was only approved by Congress in 1972, but not subsequently approved by the states and is thus without force or effect; and