

S. 506. A bill to amend the Higher Education Relief Opportunities for Students Act of 2003 to strike the Secretary's unilateral authority during a national emergency, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. THUNE. Madam President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 506

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Stop Reckless Student Loan Actions Act of 2023".

#### SEC. 2. FINDINGS.

Congress finds the following:

(1) The Higher Education Relief Opportunities for Students Act of 2003 (20 U.S.C. 1098aa et seq.) was intended to provide relief opportunities for members of the armed services.

(2) The authority provided under the Higher Education Relief Opportunities for Students Act of 2003 has been abused by the Executive Branch during the COVID-19 national emergency regarding the payment of Federal student loans.

(3) The unilateral payment pause on Federal student loans has cost more than \$160,000,000,000.

(4) The unilateral payment pause on Federal student loans has inflationary impacts.

(5) The individuals benefitting the most from the payment pause continued by the Executive Branch are doctors, who receive 11 times the benefit of bachelor's degree recipients and 16 times the benefit of associate's degree recipients.

#### SEC. 3. AMENDMENTS TO THE HIGHER EDUCATION RELIEF OPPORTUNITIES FOR STUDENTS ACT OF 2003.

Section 5(2) of the Higher Education Relief Opportunities for Students Act of 2003 (20 U.S.C. 1098ee) is amended—

(1) in the matter preceding subparagraph (A), by inserting "(or the spouse or dependent of the parent, as that term is used in section 480 of the Higher Education Act of 1965 (20 U.S.C. 1087vv))" after "an individual";

(2) in subparagraph (A), by inserting "and" after the semicolon;

(3) in subparagraph (B), by striking the semicolon and inserting a period; and

(4) by striking subparagraphs (C) and (D).

#### SEC. 4. HIGHER EDUCATION RELIEF OPPORTUNITIES FOR CIVILIANS IN THE CASE OF A NATIONAL EMERGENCY AND LIMITATIONS ON COVERED LOANS.

(a) TEMPORARY AUTHORITY FOR HIGHER EDUCATION RELIEF.—

(1) IN GENERAL.—Subject to the limitation provided in subsection (c), during the 90 day period after a declaration of a national emergency under section 201 of the National Emergencies Act (50 U.S.C. 1621), the Secretary of Education may suspend or defer Federal student loan payments or the accrual of interest for loans made, insured or guaranteed under part B, D, or E of title IV of the Higher Education Act of 1965 (20 U.S.C. 1071 et seq.; 1087a et seq.; 1087aa et seq.) or loans under the Health Education Assistance Loan Program.

(2) LIMITATION.—The Secretary of Education may not use the temporary authority provided under paragraph (1) in consecutive 90 day periods.

(b) RECOMMENDATIONS FOR HIGHER EDUCATION RELIEF FROM THE SECRETARY OF EDUCATION.—In the case of a national emer-

gency declared by the President under section 201 of the National Emergencies Act (50 U.S.C. 1621), the Secretary of Education shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives, not later than 60 days after the date of such declaration, a report that includes any recommendations on relief necessary for recipients of student financial assistance under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.).

(c) LIMITS ON EXECUTIVE AUTHORITY TO SUSPEND OR DEFER FEDERAL STUDENT LOAN PAYMENTS OR INTEREST.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the President or the Secretary of Education may not suspend or defer Federal student loan payments on covered loans or the accrual of interest on covered loans of borrowers with annual household incomes over 400 percent of the poverty line (as determined under the poverty guidelines updated periodically in the Federal Register by the Department of Health and Human Services under the authority of section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))).

(2) APPLICATION OF CONGRESSIONAL REVIEW ACT.—In any case where the President or the Secretary of Education suspends or defers Federal student loan payments on covered loans or the accrual of interest on covered loans through any type of executive or regulatory action, the suspension or deferral shall be—

(A) deemed to be a major rule for purposes of chapter 8 of title 5, United States Code (commonly known as the "Congressional Review Act"); and

(B) subject to congressional disapproval in accordance with such chapter.

(d) LIMITS ON EXECUTIVE AUTHORITY TO CANCEL STUDENT LOANS.—

(1) IN GENERAL.—Notwithstanding any other provisions of law, the President or the Secretary of Education may not cancel the outstanding balances, or a portion of the balances, on covered loans due to the COVID-19 national emergency or any other national emergency.

(2) APPLICATION OF CONGRESSIONAL REVIEW ACT.—In any case where the President or the Secretary of Education cancels the outstanding balances, or portion of the balances, on covered loans through any type of executive or regulatory action, the cancellation shall be—

(A) deemed to be a major rule for purposes of chapter 8 of title 5, United States Code (commonly known as the "Congressional Review Act"); and

(B) subject to congressional disapproval in accordance with such chapter.

(e) IMPLEMENTATION.—

(1) REGARDING SUSPENSIONS OR DEFERMENTS OF FEDERAL STUDENT LOAN PAYMENTS ONGOING AT THE TIME OF ENACTMENT.—Not later than the effective date of this Act, any suspension or deferment of Federal student loan payments on covered loans due to the COVID-19 national emergency shall terminate. Notwithstanding any other provision of law, a subsequent suspension or deferment of Federal student loan payments on covered loans for the COVID-19 national emergency shall be prohibited.

(2) REGARDING CANCELLATION OF STUDENT LOANS PRIOR TO EFFECTIVE DATE.—Any cancellation of the outstanding balance, or portion of a balance, on a covered loan made by the President or Secretary of Education through any type of executive or regulatory action in the 30 days before the effective date of this Act shall be—

(A) deemed to be a major rule for purposes of chapter 8 of title 5, United States Code

(commonly known as the "Congressional Review Act"); and

(B) subject to congressional disapproval in accordance with such chapter.

(f) DEFINITION OF COVERED LOAN.—In this subsection, the term "covered loan" means a loan made, insured, or guaranteed under part B, D, or E of title IV of the Higher Education Act of 1965 (20 U.S.C. 1071 et seq.; 1087a et seq.; 1087aa et seq.) or a loan under the Health Education Assistance Loan Program.

#### SEC. 5. EFFECTIVE DATE.

This Act, and the amendments made by this Act, shall take effect on the date that is 30 days after the date of enactment of this Act.

### SUBMITTED RESOLUTIONS

#### SENATE RESOLUTION 71—CONGRATULATING THE KANSAS CITY CHIEFS ON THEIR VICTORY IN SUPER BOWL LVII

Mr. MORAN (for himself, Mr. HAWLEY, Mr. MARSHALL, and Mr. SCHMITT) submitted the following resolution; which was considered and agreed to:

S. RES. 71

Whereas, on Sunday, February 12, 2023, the Kansas City Chiefs (in this preamble referred to as the "Chiefs") won Super Bowl LVII to become the champion of the National Football League (in this preamble referred to as the "NFL") for the 2022 season by defeating the Philadelphia Eagles by a score of 38 to 35;

Whereas this was the third Super Bowl victory in the franchise history of the Chiefs and the second Super Bowl victory for the Chiefs in 4 years;

Whereas the Chiefs displayed great resiliency to overcome a 10-point halftime deficit to win;

Whereas head coach Andy Reid earned his second Super Bowl victory, becoming only the 14th head coach to accomplish this feat;

Whereas quarterback Patrick Mahomes completed 21 of 27 passes and threw for 182 yards with 3 touchdowns and 0 interceptions and carried the ball 6 times for 44 yards and was named Most Valuable Player of Super Bowl LVII;

Whereas Patrick Mahomes became the first player named NFL Most Valuable Player and Super Bowl Most Valuable Player in the same season since 1999;

Whereas during Super Bowl LVII—

(1) Isiah Pacheco carried the ball 15 times for 76 yards and scored 1 touchdown;

(2) Travis Kelce had 6 receptions for 81 yards and scored 1 touchdown;

(3) Kadarius Toney made a touchdown reception to take the lead in the fourth quarter, as well as a Super Bowl record-long 65-yard punt return during the fourth quarter;

(4) Skyy Moore had a critical touchdown reception to extend the lead by the Chiefs during the fourth quarter;

(5) Nick Bolton led all players with 9 tackles and had a fumble recovery and defensive touchdown;

(6) JuJu Smith-Schuster had 7 receptions for 53 yards; and

(7) Harrison Butker made the game-winning field goal from 27 yards with 8 seconds left in the game;

Whereas the Chiefs also won—

(1) the American Football Conference Championship by defeating the Cincinnati Bengals 23 to 20 on January 29, 2023; and

(2) the American Football Conference Divisional playoff game by defeating the Jacksonville Jaguars 27 to 20 on January 22, 2023;

Whereas the entire Chiefs roster contributed to the victory in Super Bowl LVII, including Nick Allegretti, Blake Bell, Nick Bolton, Orlando Brown, Shane Buechele, Michael Burton, Deon Bush, Harrison Butker, Leo Chenal, Frank Clark, Jack Cochrane, Bryan Cook, Mike Danna, Carlos Dunlap, Clyde Edwards-Helaire, Jody Fortson, Willie Gay, Noah Gray, Darius Harris, Chad Henne, Malik Herring, Creed Humphrey, Nazeem Johnson, Chris Jones, Ronald Jones, Joshua Kaindoh, George Karlaftis, Travis Kelce, Darian Kinnard, Patrick Mahomes, Trent McDuffie, Jerick McKinnon, Skyy Moore, Lucas Niang, Derrick Nnadi, Isaiah Pacheco, Justin Reid, Khalel Saunders, Trey Smith, JuJu Smith-Schuster, L'Jarius Sneed, Juan Thornhill, Joe Thuney, Kadarius Toney, Tommy Townsend, Marquez Valdes-Scantling, Prince Tega Wanogho, Jaylen Watson, Justin Watson, Brandon Williams, Joshua Williams, James Winchester, and Andrew Wylie;

Whereas the Chiefs victory in Super Bowl LVII instills an extraordinary sense of pride for all of Chiefs Kingdom in the States of Missouri and Kansas and across the Midwest;

Whereas people all over the world are asking, "How 'bout those Chiefs?";

Whereas Lamar Hunt founded the Chiefs more than 6 decades ago and helped shape the NFL, including by coining the phrase "Super Bowl"; and

Whereas the Hunt family deserves great credit for its unwavering commitment to, and leadership and support of, Chiefs Kingdom: Now, therefore, be it

*Resolved*, That the Senate—

(1) congratulates the Kansas City Chiefs and their entire staff and fans of the Kansas City Chiefs for their victory in Super Bowl LVII; and

(2) respectfully requests that the Secretary of the Senate transmit an enrolled copy of this resolution to—

(A) the chairman and chief executive officer of the Kansas City Chiefs, Clark Hunt;

(B) the president of the Kansas City Chiefs, Mark Donovan, and the general manager of the Kansas City Chiefs, Brett Veach; and

(C) the head coach of the Kansas City Chiefs, Andy Reid.

#### SENATE RESOLUTION 72—RECOGNIZING RUSSIAN ACTIONS IN UKRAINE AS A GENOCIDE

Mr. RISCH (for himself, Mr. CARDIN, Mr. TILLIS, Mr. BLUMENTHAL, Mr. CRAPO, Mr. KAINE, Mr. SCOTT of Florida, Ms. KLOBUCHAR, Mrs. CAPITO, Mr. MANCHIN, Mr. BARRASSO, Mrs. MURRAY, Mr. GRAHAM, Mrs. SHAHEEN, Mr. RUBIO, and Mr. YOUNG) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 72

Whereas the Russian Federation's illegal, premeditated, unprovoked, and brutal war against Ukraine includes extensive, systematic, and flagrant atrocities against the people of Ukraine;

Whereas article II of the Convention on the Prevention and Punishment of the Crime of Genocide (in this preamble referred to as the "Genocide Convention"), adopted and opened for signature in 1948 and entered into force in 1951, defines genocide as "any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such: (a) Killing members of the group; (b) Causing serious bodily or mental harm to members of the group; (c) Deliberately inflicting on the

group conditions of life calculated to bring about its physical destruction in whole or in part; (d) Imposing measures intended to prevent births within the group; (e) Forcibly transferring children of the group to another group";

Whereas, on October 3, 2018, the Senate unanimously agreed to Senate Resolution 435, 115th Congress, which commemorated the 85th anniversary of the Holodomor and "recognize[d] the findings of the Commission on the Ukraine Famine as submitted to Congress on April 22, 1988, including that 'Joseph Stalin and those around him committed genocide against the Ukrainians in 1932–1933'";

Whereas substantial and significant evidence documents widespread, systematic actions against the Ukrainian people committed by Russian forces under the direction of political leadership of the Russian Federation that meet one or more of the criteria under article II of the Genocide Convention, including—

(1) killing members of the Ukrainian people in mass atrocities through deliberate and regularized murders of fleeing civilians and civilians in passing as well as purposeful targeting of homes, schools, hospitals, shelters, and other residential and civilian areas;

(2) causing serious bodily or mental harm to members of the Ukrainian people by launching indiscriminate attacks against civilians and civilian areas, conducting willful strikes on humanitarian evacuation corridors, and employing widespread and systematic sexual violence against Ukrainian civilians, including women, children, and men;

(3) deliberately inflicting upon the Ukrainian people conditions of life calculated to bring about their physical destruction in whole or in part, including displacement due to annihilated villages, towns, and cities left devoid of food, water, shelter, electricity, and other basic necessities, starvation caused by the destruction of farmlands and agricultural equipment, the placing of Russian landmines across thousands of acres of useable fields, and blocking the delivery of humanitarian food aid;

(4) imposing measures intended to prevent births among the Ukrainian people, demonstrated by the Russian military's expansive and direct targeting of maternity hospitals and other medical facilities and systematic attacks against residential and civilian areas as well as humanitarian corridors intended to deprive Ukrainians of safe havens within their own country and the material conditions conducive to childrearing; and

(5) forcibly mass transferring millions of Ukrainian civilians, hundreds of thousands of whom are children, to the Russian Federation or territories controlled by the Russian Federation;

Whereas the intent of the Russian Federation and those acting on its behalf in favor of those heinous crimes against humanity has been demonstrated through frequent pronouncements and other forms of official communication denying Ukrainian nationhood, including President Putin's ahistorical claims that Ukraine is part of a "single whole" Russian nation with "no historical basis" for being an independent country;

Whereas some Russian soldiers and brigades accused of committing war crimes in Bucha, Ukraine, and elsewhere were rewarded with medals by President Putin;

Whereas the Russian state-owned media outlet RIA Novosti published the article "What Should Russia do with Ukraine", which outlines "de-Nazification" as meaning "de-Ukrainianization" or the destruction of Ukraine and rejection of the "ethnic component" of Ukraine;

Whereas article I of the Genocide Convention confirms "that genocide, whether committed in time of peace or in time of war, is a crime under international law which [the Contracting Parties] undertake to prevent and to punish";

Whereas although additional documentation and analysis of atrocities committed by the Russian Federation in Ukraine may be needed to punish those responsible, the substantial and significant documentation already undertaken, combined with statements showing intent, compel urgent action to prevent future acts of genocide; and

Whereas the Global Magnitsky Human Rights Accountability Act (22 U.S.C. 10101 et seq.) authorizes the President to impose economic sanctions on, and deny entry into the United States to, foreign individuals identified as engaging in gross violations of internationally recognized human rights: Now, therefore, be it

*Resolved*, That the Senate—

(1) condemns those acting on behalf of the Russian Federation for committing acts of genocide against the Ukrainian people;

(2) calls on the United States, in cooperation with allies in the North Atlantic Treaty Organization and the European Union, to undertake measures to support the Government of Ukraine to prevent acts of Russian genocide against the Ukrainian people;

(3) supports tribunals and international criminal investigations to hold Russian political leaders and military personnel to account for a war of aggression, war crimes, crimes against humanity, and genocide; and

(4) urges the President to use the authorities under the Global Magnitsky Human Rights Accountability Act (22 U.S.C. 10101 et seq.) to impose economic sanctions on those responsible for, or complicit in, genocide in Ukraine by the Russian Federation and those acting on its behalf.

#### SENATE RESOLUTION 73—DESIGNATING FEBRUARY 16, 2023, AS "INTERNATIONAL BLACK AVIATION PROFESSIONALS DAY"

Mr. OSSOFF submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 73

Whereas, since the birth of aviation, Black Americans have made and continue to make significant contributions to flight, space exploration, and the aviation industry as a whole, despite significant adversity;

Whereas aviation trailblazers like Emory C. Malick, the first licensed Black pilot, James H. Banning, the first Black pilot to fly across the United States, and Bessie "Queen" Coleman, the first licensed Black woman pilot, barnstormed through barriers such as racism and sexism to have careers in aviation;

Whereas William J. Powell, Jr., was a visionary who established the Bessie Coleman Flying Club, sponsored the first all-Black American airshow, wrote the book entitled "Black Wings", produced a documentary film entitled "Unemployment, the Negro and Aviation", and worked tirelessly to mobilize Black American youth to pursue careers in aviation;

Whereas Cornelius Coffey, a skilled auto mechanic who dreamed of flying, and Willa Brown, the first Black woman to earn both a pilot license and a commercial license and the first Black woman to become an officer in the Illinois Civil Air Patrol, organized a group of Black air enthusiasts, established training classes and a school of aeronautics, and helped promote the 1939 flight of