

\*Summer K. Mersinger, of South Dakota, to be a Commissioner of the Commodity Futures Trading Commission for a term expiring April 13, 2028.

\*Basil Ivanhoe Gooden, of Virginia, to be Under Secretary of Agriculture for Rural Development.

By Mr. PETERS for the Committee on Homeland Security and Governmental Affairs.

\*Henry J. Kerner, of Virginia, to be a Member of the Merit Systems Protection Board for the term of seven years expiring March 1, 2030.

\*Hampton Y. Dellinger, of North Carolina, to be Special Counsel, Office of Special Counsel, for the term of five years.

\*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

### 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. WARNER (for himself and Mr. KAINE):

S. 3412. A bill to redesignate the Richard H. Poff Federal Building located at 210 Franklin Road Southwest in Roanoke, Virginia, as the "Reuben E. Lawson Federal Building", and for other purposes; to the Committee on Environment and Public Works.

By Mr. MARSHALL (for himself and Mr. BRAUN):

S. 3413. A bill to reinstate pilots fired or forced to resign because of a COVID-19 vaccine mandate; to the Committee on Commerce, Science, and Transportation.

By Mr. KAINE (for himself, Mr. RUBIO, and Mr. MERKLEY):

S. 3414. A bill to support United States investment opportunities, strengthen bilateral collaboration in addressing criminal elements operating in the Brazilian Amazon, and for other purposes; to the Committee on Foreign Relations.

By Mr. MURPHY (for himself, Mr. SANDERS, and Ms. WARREN):

S. 3415. A bill to establish collective bargaining rights for college athletes, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DURBIN:

S. 3416. A bill to establish the Climate Change Advisory Commission to develop recommendations, frameworks, and guidelines for projects to respond to the impacts of climate change, to issue Federal obligations, the proceeds of which shall be used to fund projects that aid in adaptation to climate change, and for other purposes; to the Committee on Finance.

By Mr. COTTON (for himself, Mrs. HYDE-SMITH, and Mr. SCOTT of Florida):

S. 3417. A bill to prohibit the importation of seafood and aquaculture products from the People's Republic of China; to the Committee on Finance.

By Ms. CORTEZ MASTO (for herself and Ms. ROSEN):

S. 3418. A bill to amend the Water Resources Development Act of 2000 to modify the authorization of appropriations for the Las Vegas Wash program, and for other purposes; to the Committee on Environment and Public Works.

By Mr. FETTERMAN (for himself and Mr. CASEY):

S. 3419. A bill to designate the facility of the United States Postal Service located at 1765 Camp Hill Bypass in Camp Hill, Pennsylvania, as the "John Charles Traub Post Office"; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. GILLIBRAND:

S. 3420. A bill to amend the Department of Agriculture Reorganization Act of 1994 to provide for a set-aside for socially disadvantaged farmers and ranchers for grants to support urban agriculture and innovative production, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mrs. GILLIBRAND (for herself and Mr. PADILLA):

S. 3421. A bill to amend the Equal Credit Opportunity Act to require the collection of small business loan data related to LGBTQI-owned businesses; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. WHITEHOUSE (for himself, Mr. SCHATZ, and Mr. HEINRICH):

S. 3422. A bill to amend the Internal Revenue Code of 1986 to create a carbon border adjustment based on carbon intensity, and for other purposes; to the Committee on Finance.

By Mr. WELCH (for himself, Mr. SANDERS, and Mr. MARKEY):

S. 3423. A bill to guarantee the right to vote for all citizens regardless of conviction of a criminal offense, and for other purposes; to the Committee on the Judiciary.

By Mr. LUJÁN (for himself, Mr. CORNYN, Mr. KAINE, Mr. DURBIN, and Mrs. SHAHEEN):

S. 3424. A bill to reauthorize the program for strengthening communities of recovery for individuals with substance use disorders; to the Committee on Health, Education, Labor, and Pensions.

By Ms. BALDWIN (for herself and Mr. CASSIDY):

S. 3425. A bill to authorize the Secretary of Commerce to establish a Resilient Communities Program to provide communities impacted by trade with grants for economic development, and for other purposes; to the Committee on Environment and Public Works.

By Mr. MARKEY (for himself, Mr. COONS, and Mrs. GILLIBRAND):

S. 3426. A bill to reauthorize the YouthBuild program, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. GRAHAM (for himself, Ms. KLOBUCHAR, Mr. GRASSLEY, and Mr. COONS):

S. 3427. A bill to extend the authority to provide employees of the United States Secret Service with overtime pay beyond other statutory limitations, and for other purposes; to the Committee on the Judiciary.

By Mr. LEE:

S. 3428. A bill to terminate the membership by the United States in the United Nations, and for other purposes; to the Committee on Foreign Relations.

By Mr. HAWLEY:

S. 3429. A bill to provide for just compensation in the event that eminent domain is exercised, and for other purposes; to the Committee on the Judiciary.

By Ms. MURKOWSKI (for herself and Mr. SULLIVAN):

S.J. Res. 52. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Environmental Protection Agency entitled "Finding That Lead Emissions From Aircraft Engines That Operate on Leaded Fuel Cause or Contribute to Air Pollution That May Reasonably Be Anticipated To Endanger Public Health and Welfare"; to the Committee on Environment and Public Works.

### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. MORAN (for himself and Mr. TESTER):

S. Res. 487. A resolution commemorating the centennial of the American Battle Monuments Commission; considered and agreed to.

By Mrs. BLACKBURN (for herself, Mr. CARPER, and Mr. SULLIVAN):

S. Res. 488. A resolution recognizing Jobs for America's Graduates for helping young people of truly great promise in the United States succeed in school, on the job, and in postsecondary education, leading to generations of productive and rewarding careers; considered and agreed to.

By Ms. COLLINS (for herself and Mr. KING):

S. Res. 489. A resolution designating December 16, 2023, as "National Wreaths Across America Day"; considered and agreed to.

By Mr. SCOTT of Florida (for himself, Mr. RUBIO, Mr. WARNOCK, Mr. OSSOFF, Mr. TUBERVILLE, and Mrs. BRITT):

S. Res. 490. A resolution remembering the December 6, 2019, terrorist attack at Naval Air Station Pensacola and commemorating those who lost their lives, and those who were injured, in the line of duty; considered and agreed to.

### ADDITIONAL COSPONSORS

S. 342

At the request of Mr. PADILLA, the name of the Senator from California (Ms. BUTLER) was added as a cosponsor of S. 342, a bill to clarify the rights of certain persons who are held or detained at a port of entry or at any facility overseen by U.S. Customs and Border Protection.

S. 497

At the request of Ms. DUCKWORTH, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. 497, a bill to amend the Food and Nutrition Act of 2008 to exclude a basic allowance for housing from income for purposes of eligibility for the supplemental nutrition assistance program.

S. 656

At the request of Mrs. FISCHER, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 656, a bill to amend title 38, United States Code, to revise the rules for approval by the Secretary of Veterans Affairs of commercial driver education programs for purposes of veterans educational assistance, and for other purposes.

S. 815

At the request of Mr. TESTER, the names of the Senator from West Virginia (Mr. MANCHIN) and the Senator from West Virginia (Mrs. CAPITO) were added as cosponsors of S. 815, a bill to award a Congressional Gold Medal to the female telephone operators of the Army Signal Corps, known as the "Hello Girls".

S. 1300

At the request of Mr. CRUZ, the name of the Senator from Arizona (Ms.

SINEMA) was added as a cosponsor of S. 1300, a bill to require the Secretary of the Treasury to mint coins in recognition of the late Prime Minister Golda Meir and the 75th anniversary of the United States-Israel relationship.

S. 1384

At the request of Mrs. GILLIBRAND, the name of the Senator from New Mexico (Mr. LUJÁN) was added as a cosponsor of S. 1384, a bill to promote and protect from discrimination living organ donors.

S. 1467

At the request of Mr. CARDIN, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 1467, a bill to amend the Internal Revenue Code of 1986 to allow a refundable tax credit against income tax for the purchase of qualified access technology for the blind.

S. 1606

At the request of Mr. BOOKER, the name of the Senator from California (Ms. BUTLER) was added as a cosponsor of S. 1606, a bill to end preventable maternal mortality, severe maternal morbidity, and maternal health disparities in the United States, and for other purposes.

S. 1829

At the request of Mr. RUBIO, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 1829, a bill to impose sanctions with respect to persons engaged in the import of petroleum from the Islamic Republic of Iran, and for other purposes.

S. 1851

At the request of Mr. LUJÁN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1851, a bill to address maternity care shortages and promote optimal maternity outcomes by expanding educational opportunities for midwives, and for other purposes.

S. 1885

At the request of Ms. CORTEZ MASTO, the name of the Senator from California (Ms. BUTLER) was added as a cosponsor of S. 1885, a bill to eliminate employment-based visa caps on abused, abandoned, and neglected children eligible for humanitarian status, and for other purposes.

S. 2039

At the request of Ms. SMITH, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 2039, a bill to amend the Employee Retirement Income Security Act of 1974 to require a group health plan (or health insurance coverage offered in connection with such a plan) to provide for cost-sharing for oral anticancer drugs on terms no less favorable than the cost-sharing provided for anticancer medications administered by a health care provider.

S. 2085

At the request of Mr. CRAPO, the name of the Senator from Vermont (Mr. WELCH) was added as a cosponsor of S. 2085, a bill to amend title XVIII of

the Social Security Act to provide for Medicare coverage of multi-cancer early detection screening tests.

S. 2442

At the request of Mr. BUDD, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of S. 2442, a bill to amend the Higher Education Act of 1965 to extend Federal Pell Grant eligibility to certain short-term workforce programs.

S. 2496

At the request of Mr. CARDIN, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 2496, a bill to amend the National Housing Act to include information regarding VA home loans in the Informed Consumer Choice Disclosure required to be provided to prospective FHA borrowers.

S. 2606

At the request of Mr. PADILLA, the name of the Senator from California (Ms. BUTLER) was added as a cosponsor of S. 2606, a bill to amend section 249 of the Immigration and Nationality Act to render available to certain long-term residents of the United States the benefit under that section.

S. 2669

At the request of Ms. WARREN, the names of the Senator from California (Ms. BUTLER) and the Senator from Maryland (Mr. VAN HOLLEN) were added as cosponsors of S. 2669, a bill to require the Financial Crimes Enforcement Network to issue guidance on digital assets, and for other purposes.

S. 2767

At the request of Mr. BROWN, the names of the Senator from Washington (Mrs. MURRAY) and the Senator from Alaska (Ms. MURKOWSKI) were added as cosponsors of S. 2767, a bill to amend title XVI of the Social Security Act to update the resource limit for supplemental security income eligibility.

S. 2861

At the request of Mrs. GILLIBRAND, the names of the Senator from Florida (Mr. SCOTT) and the Senator from Texas (Mr. CORNYN) were added as cosponsors of S. 2861, a bill to award a Congressional Gold Medal to Billie Jean King, an American icon, in recognition of a remarkable life devoted to championing equal rights for all, in sports and in society.

S. 2916

At the request of Mr. BOOKER, the name of the Senator from North Carolina (Mr. BUDD) was added as a cosponsor of S. 2916, a bill to provide for digital communication of prescribing information for drugs (including biological products), and for other purposes.

S. 2932

At the request of Mr. MARKEY, the names of the Senator from Pennsylvania (Mr. FETTERMAN) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. 2932, a bill to direct the Secretary of Health and Human Services to provide guidance to State Medicaid agencies,

public housing agencies, Continuums of Care, and housing finance agencies on connecting Medicaid beneficiaries with housing-related services and supports under Medicaid and other housing resources, and for other purposes.

S. 3008

At the request of Ms. SMITH, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 3008, a bill to provide back pay to Federal contractors, and for other purposes.

S. 3085

At the request of Mr. KING, the names of the Senator from New Mexico (Mr. LUJÁN), the Senator from Wisconsin (Ms. BALDWIN) and the Senator from Pennsylvania (Mr. CASEY) were added as cosponsors of S. 3085, a bill to establish a program for purposes of carrying out programs to prevent adverse childhood experiences and promoting positive childhood experiences, and to require the Secretary of Health and Human Services to conduct studies, evaluations, and research to address adverse childhood experiences, including through the promotion of positive childhood experiences.

S. 3220

At the request of Mr. KELLY, the name of the Senator from Oklahoma (Mr. MULLIN) was added as a cosponsor of S. 3220, a bill to expand the tropical disease product priority review voucher program to encourage prevention and treatment of coccidioidomycosis.

S. 3235

At the request of Mr. RISCH, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 3235, a bill to require a strategy to counter the role of the People's Republic of China in evasion of sanctions imposed by the United States with respect to Iran, and for other purposes.

S. 3311

At the request of Ms. SMITH, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 3311, a bill to direct the Secretary of Health and Human Services to conduct a demonstration program to test providing preferential treatment under the Medicare, Medicaid, and CHIP programs for certain drugs and biologicals manufactured in the United States.

S. 3323

At the request of Mrs. GILLIBRAND, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 3323, a bill to establish the Office of the Ombudsperson for Immigrant Children in Immigration Custody, and for other purposes.

S. 3364

At the request of Mr. LUJÁN, the names of the Senator from Alaska (Ms. MURKOWSKI) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. 3364, a bill to amend the SUPPORT for Patients and Communities Act to authorize the use of certain grants to prevent suicide or overdose by children, adolescents, and young adults, and for other purposes.

STATEMENTS ON INTRODUCED  
BILLS AND JOINT RESOLUTIONS

By Mr. DURBIN:

S. 3416. A bill to establish the Climate Change Advisory Commission to develop recommendations, frameworks, and guidelines for projects to respond to the impacts of climate change, to issue Federal obligations, the proceeds of which shall be used to fund projects that aid in adaptation to climate change, and for other purposes; to the Committee on Finance.

Mr. DURBIN. 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. 3416

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

**SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

(a) **SHORT TITLE.**—This Act may be cited as the “Climate Change Resiliency Fund for America Act of 2023”.

(b) **TABLE OF CONTENTS.**—

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

**TITLE I—CLIMATE CHANGE ADVISORY  
COMMISSION**

Sec. 101. Establishment of Climate Change Advisory Commission.

Sec. 102. Duties.

Sec. 103. Commission personnel matters.

Sec. 104. Funding.

Sec. 105. Termination.

**TITLE II—CLIMATE CHANGE RESILIENCY  
FUND**

Sec. 201. Climate Change Resiliency Fund.

Sec. 202. Compliance with Davis-Bacon Act.

Sec. 203. Funding.

**TITLE III—REVENUE**

Sec. 301. Climate Change Obligations.

Sec. 302. Promotion.

**SEC. 2. DEFINITIONS.**

In this Act:

(1) **COMMISSION.**—The term “Commission” means the Climate Change Advisory Commission established by section 101(a).

(2) **COMMUNITY OF COLOR.**—The term “community of color” means a geographically distinct area in which the population of any of the following categories of individuals is higher than the average populations of that category for the State in which the community is located:

- (A) Black.
- (B) African American.
- (C) Asian.
- (D) Pacific Islander.
- (E) Other non-White race.
- (F) Hispanic.
- (G) Latino.
- (H) Linguistically isolated.

(3) **ELIGIBLE ENTITY.**—The term “eligible entity” includes—

- (A) a Federal agency;
- (B) a State or group of States;
- (C) a unit of local government or a group of local governments;
- (D) a utility district;
- (E) a Tribal government or a consortium of Tribal governments;
- (F) a State or regional transit agency or a group of State or regional transit agencies;
- (G) a nonprofit organization;
- (H) a special purpose district or public authority, including a port authority; and
- (I) any other entity, as determined by the Secretary.

(4) **ENVIRONMENTAL JUSTICE COMMUNITY.**—The term “environmental justice community” means a community with significant representation of communities of color, low-income communities, or Tribal and indigenous communities that experiences, or is at risk of experiencing, higher or more adverse human health or environmental effects.

(5) **FRONTLINE COMMUNITY.**—The term “frontline community” means a low-income community, a community of color, or a Tribal community that is disproportionately impacted or burdened by climate change or a phenomenon associated with climate change, including such a community that was or is at risk of being disproportionately impacted or burdened by climate change or a phenomenon associated with climate change earlier than other such communities.

(6) **FUND.**—The term “Fund” means the Climate Change Resiliency Fund established by section 201(a)(1).

(7) **LOW-INCOME COMMUNITY.**—The term “low-income community” means any census block group in which 30 percent or more of the population are individuals with an annual household income equal to, or less than, the greater of—

(A) an amount equal to 80 percent of the median household income of the area in which the household is located, as reported by the Department of Housing and Urban Development; and

(B) 200 percent of the Federal poverty line.

(8) **PROJECT.**—The term “project” means a project for a qualified climate change adaptation purpose performed by an eligible entity under section 201(b).

(9) **QUALIFIED CLIMATE CHANGE ADAPTATION PURPOSE.**—

(A) **IN GENERAL.**—The term “qualified climate change adaptation purpose” means an objective with a demonstrated intent to reduce the economic, social, and environmental impact of the adverse effects of climate change.

(B) **INCLUSIONS.**—The term “qualified climate change adaptation purpose” includes infrastructure resiliency and mitigation, improved disaster response, and ecosystem protection, which may be accomplished through activities or projects with objectives such as—

- (i) reducing risks or enhancing resilience to sea level rise, extreme weather events, fires, drought, flooding, heat island impacts, or worsened indoor or outdoor air quality;
- (ii) protecting farms and the food supply from climate impacts;
- (iii) reducing risks of food insecurity that would otherwise result from climate change;
- (iv) ensuring that disaster and public health plans account for more severe weather;
- (v) reducing risks from geographical change to disease vectors, pathogens, invasive species, and the distribution of pests; and
- (vi) other projects or activities, as determined to be appropriate by the Commission.

(10) **SECRETARY.**—The term “Secretary” means the Secretary of Commerce.

(11) **STATE.**—The term “State” means a State, the District of Columbia, the Commonwealth of Puerto Rico, and any other territory or possession of the United States.

**TITLE I—CLIMATE CHANGE ADVISORY  
COMMISSION****SEC. 101. ESTABLISHMENT OF CLIMATE CHANGE  
ADVISORY COMMISSION.**

(a) **IN GENERAL.**—There is established a commission to be known as the “Climate Change Advisory Commission”.

(b) **MEMBERSHIP.**—The Commission shall be composed of 11 members—

(1) who shall be selected from the public and private sectors and institutions of higher education; and

(2) of whom—

(A) 3 shall be appointed by the President, in consultation with the National Climate Task Force;

(B) 2 shall be appointed by the Speaker of the House of Representatives;

(C) 2 shall be appointed by the minority leader of the House of Representatives;

(D) 2 shall be appointed by the majority leader of the Senate; and

(E) 2 shall be appointed by the minority leader of the Senate.

(c) **TERMS.**—Each member of the Commission shall be appointed for the life of the Commission.

(d) **INITIAL APPOINTMENTS.**—Each member of the Commission shall be appointed not later than 90 days after the date of enactment of this Act.

(e) **VACANCIES.**—A vacancy on the Commission—

(1) shall not affect the powers of the Commission; and

(2) shall be filled in the manner in which the original appointment was made.

(f) **INITIAL MEETING.**—Not later than 30 days after the date on which all members of the Commission have been appointed, the Commission shall hold the initial meeting of the Commission.

(g) **MEETINGS.**—The Commission shall meet at the call of the Chairperson.

(h) **QUORUM.**—A majority of the members of the Commission shall constitute a quorum, but a lesser number of members may hold hearings.

(i) **CHAIRPERSON AND VICE CHAIRPERSON.**—The Commission shall select a Chairperson and Vice Chairperson from among the members of the Commission.

**SEC. 102. DUTIES.**

The Commission shall—

(1) establish recommendations, frameworks, and guidelines for a Federal investment program funded by revenue from climate change obligations issued under section 301 for eligible entities that—

(A) improve and adapt energy, transportation, water, and general infrastructure impacted or expected to be impacted due to climate variability; and

(B) integrate best available science, data, standards, models, and trends that improve the resiliency of infrastructure systems described in subparagraph (A); and

(2) in consultation with the Council on Environmental Quality and the White House Environmental Justice Interagency Council, identify categories of the most cost-effective investments and projects that emphasize multiple benefits to human health, commerce, and ecosystems while ensuring that the Commission engages in early and meaningful community stakeholder involvement opportunities during the development of the recommendations, frameworks, and guidelines established under paragraph (1).

**SEC. 103. COMMISSION PERSONNEL MATTERS.**

(a) **COMPENSATION OF MEMBERS.**—

(1) **NON-FEDERAL EMPLOYEES.**—A member of the Commission who is not an officer or employee of the Federal Government shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the performance of the duties of the Commission.

(2) **FEDERAL EMPLOYEES.**—A member of the Commission who is an officer or employee of the Federal Government shall serve without compensation in addition to the compensation received for the services of the member as an officer or employee of the Federal Government.