

S. RES. 20

At the request of Mr. CARDIN, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. Res. 20, a resolution condemning the coup that took place on February 1, 2021, in Burma and the Burmese military's detention of civilian leaders, calling for an immediate and unconditional release of all those detained, promoting accountability and justice for those killed by the Burmese military, and calling for those elected to serve in parliament to resume their duties without impediment, and for other purposes.

S. RES. 103

At the request of Ms. DUCKWORTH, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. Res. 103, a resolution recognizing Girl Scouts of the United States of America on its 111th birthday and celebrating its legacy of providing girls with a safe, inclusive space where they can explore their world, build meaningful relationships, and have access to experiences that prepare them for a life of leadership.

S. RES. 104

At the request of Ms. CORTEZ MASTO, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. Res. 104, a resolution recognizing the heritage, culture, and contributions of Latinas in the United States.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. REED (for himself, Ms. BALDWIN, Mr. BLUMENTHAL, Mr. BROWN, Mr. COONS, Ms. DUCKWORTH, and Ms. KLOBUCHAR):

S. 779. A bill to establish an AmeriCorps Administration to carry out the national and volunteer service programs, to expand participation in such programs, and for other purposes; to the Committee on Finance.

Mr. REED. Madam President, service is a core American value. We take inspiration from those who have answered the call to serve, whether in defense of our Nation abroad or in strengthening our communities at home. Finding common cause through service is how we will overcome the major challenges of our time—addressing inequality, strengthening civil society and democratic institutions, and leaving a healthy, resilient planet to future generations. That is why I am proud to join Congressman JOHN LARSON of Connecticut in introducing the America's Call to Improving Opportunities Now, ACTION for National Service Act. Our legislation calls for a historic expansion of the number of service opportunities and an increased investment in those who serve.

The ACTION for National Service Act will honor our national value of service, while addressing the barriers that limit citizens' opportunities to

serve. Our legislation will set us on a path to 1 million national service positions within 10 years. It will increase the educational award so that an individual completing 2 full years of service will earn the equivalent of 4 years of the average in-state tuition at a public college or university. Indeed, those who are willing to serve should not be left to carry a heavy financial burden of student loan debt. The ACTION for National Service Act will also ease other financial barriers to service by increasing the living allowance and eliminating the tax liability for the education awards and living stipends. The bill calls for a robust outreach effort to ensure that all young people will know about the many opportunities to serve their country and their communities. It will mobilize a Civilian Climate Corps to address the urgent needs of hardest hit communities. Finally, the ACTION for National Service Act calls for elevating the Corporation for National and Community Service to a Cabinet-level Agency and establishes a National Service Foundation to leverage private sector resources to support national service activities.

Madam President, it is time that we reinvigorate the social contract we have with each other by elevating service as a national value. We must also make the commitment to invest in the education and professional development of those who are willing to sacrifice for our Nation. Developing the talents of our most committed citizens pays lifelong dividends. Our investment in the GI Bill not only honors our servicemembers but also enriches our Nation. Similarly, the education awards for those who have served through our national programs have economic impacts beyond the individuals who earn them. That is the new deal that the ACTION for National Service Act offers.

All AmeriCorps members take a pledge to get things done for Americans, to make communities safer, smarter and healthier, and to bring us together. It is a pledge we all should commit ourselves to.

I would like to thank Senators COONS, BALDWIN, BROWN, BLUMENTHAL, DUCKWORTH, and KLOBUCHAR for joining me as original cosponsors of the ACTION for National Service Act and the over 40 organizations, including Voices for National Service, States for Service Coalition, Habitat for Humanity International, YouthBuild, Service Year, City Year, and With Honor Action, that have endorsed this legislation. We urge our colleagues to join us in working for its passage so we can ensure that all who aspire to serve have the opportunity to do so.

By Mr. THUNE (for himself, Mr. MURPHY, Mr. CRAMER, Mr. TILLIS, Mr. MARSHALL, Mrs. CAPITO, Mr. WICKER, Mr. SCOTT of South Carolina, Ms. BALDWIN, Ms. SINEMA, and Mr. KING):

S. 786. A bill to amend the Internal Revenue Code of 1986 to treat certain amounts paid for physical activity, fitness, and exercise as amounts paid for medical care; to the Committee on Finance.

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. 786

*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 "Personal Health Investment Today Act of 2023" or the "PHIT Act of 2023".

#### SEC. 2. PURPOSE.

The purpose of this Act is to promote health and prevent disease, particularly diseases related to being overweight or obese, by—

- (1) encouraging healthier lifestyles;
- (2) providing financial incentives to ease the financial burden of engaging in healthy behavior; and
- (3) increasing the ability of individuals and families to participate in physical fitness activities.

#### SEC. 3. CERTAIN AMOUNTS PAID FOR PHYSICAL ACTIVITY, FITNESS, AND EXERCISE TREATED AS AMOUNTS PAID FOR MEDICAL CARE.

(a) IN GENERAL.—Paragraph (1) of section 213(d) of the Internal Revenue Code of 1986 is amended by striking "or" at the end of subparagraph (C), by striking the period at the end of subparagraph (D) and inserting ", or", and by inserting after subparagraph (D) the following new subparagraph:

"(E) for qualified sports and fitness expenses."

(b) QUALIFIED SPORTS AND FITNESS EXPENSES.—Subsection (d) of section 213 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

"(12) QUALIFIED SPORTS AND FITNESS EXPENSES.—

"(A) IN GENERAL.—The term 'qualified sports and fitness expenses' means amounts paid exclusively for the sole purpose of participating in a physical activity including—

"(i) for membership at a fitness facility,

"(ii) for participation or instruction in physical exercise or physical activity, or

"(iii) for equipment used in a program (including a self-directed program) of physical exercise or physical activity.

"(B) OVERALL DOLLAR LIMITATION.—The aggregate amount treated as qualified sports and fitness expenses with respect to any taxpayer for any taxable year shall not exceed \$1,000 (\$2,000 in the case of a joint return or a head of household (as defined in section 2(b))).

"(C) FITNESS FACILITY.—For purposes of subparagraph (A)(i), the term 'fitness facility' means a facility—

"(i) which provides instruction in a program of physical exercise, offers facilities for the preservation, maintenance, encouragement, or development of physical fitness, or serves as the site of such a program of a State or local government,

"(ii) which is not a private club owned and operated by its members,

"(iii) which does not offer golf, hunting, sailing, or riding facilities,

"(iv) the health or fitness component of which is not incidental to its overall function and purpose, and

“(v) which is fully compliant with the State of jurisdiction and Federal anti-discrimination laws.

“(D) TREATMENT OF EXERCISE VIDEOS, ETC.—Videos, books, and similar materials shall be treated as described in subparagraph (A)(ii) if the content of such materials constitutes instruction in a program of physical exercise or physical activity.

“(E) LIMITATIONS RELATED TO SPORTS AND FITNESS EQUIPMENT.—Amounts paid for equipment described in subparagraph (A)(iii) shall be treated as qualified sports and fitness expenses only—

“(i) if such equipment is utilized exclusively for participation in fitness, exercise, sport, or other physical activity,

“(ii) in the case of amounts paid for apparel or footwear, if such apparel or footwear is of a type that is necessary for, and is not used for any purpose other than, a specific physical activity, and

“(iii) in the case of amounts paid for any single item of sports equipment (other than exercise equipment), to the extent such amounts do not exceed \$250.

“(F) PROGRAMS WHICH INCLUDE COMPONENTS OTHER THAN PHYSICAL EXERCISE AND PHYSICAL ACTIVITY.—Rules similar to the rules of paragraph (6) shall apply in the case of any program that includes physical exercise or physical activity and also other components. For purposes of the preceding sentence, travel and accommodations shall be treated as a separate component.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 105—EX-PRESSING SUPPORT FOR THE DESIGNATION OF THE WEEK OF MARCH 6 THROUGH MARCH 10, 2023, AS “NATIONAL SOCIAL AND EMOTIONAL LEARNING WEEK” TO RECOGNIZE THE CRITICAL ROLE SOCIAL AND EMOTIONAL LEARNING PLAYS IN SUPPORTING THE ACADEMIC SUCCESS AND OVERALL WELL-BEING OF STUDENTS, EDUCATORS, AND FAMILIES

Mr. DURBIN (for himself, Ms. COLLINS, Mr. BLUMENTHAL, Mr. KING, Ms. DUCKWORTH, and Mr. BOOKER) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 105

Whereas, according to research conducted by both the Centers for Disease Control and Prevention and Harvard University, the COVID-19 pandemic heightened the urgency to provide greater assistance to students, educators, and families to address the mental health, behavioral, and other systemic challenges that impede the academic and developmental improvement and success of students;

Whereas decades of research demonstrate how social and emotional learning (referred to in this preamble as “SEL”) promotes academic achievement, mental wellness, healthy behaviors, and long-term success;

Whereas, according to a study by researchers at the Collaborative for Academic, Social, and Emotional Learning, Loyola University of Chicago, and the University of Illi-

nois at Chicago, SEL programs that addressed the 5 core competencies (self-awareness, self-management, social awareness, relationship skills, and responsible decision making) increased academic performance by 11 percentile points, improved the ability of students to manage stress, and improved the attitudes of students about themselves, others, and school;

Whereas a study in the Journal of Benefit-Cost Analysis found that, on average, for every dollar spent on the evidence-based SEL programs examined, there was an \$11 return on investment;

Whereas, according to a study published by the American Public Health Association, the development of social and emotional skills in kindergarten has been associated with improved outcomes for young adults later in life, resulting in reduced societal costs for public assistance, public housing, police involvement, and detention;

Whereas, in response to a Pew Research Center survey of parents of K-12 students, 66 percent of the parents said that schools teaching children to develop social and emotional skills was “very important” and another 27 percent of the parents said that such teaching was “somewhat important”;

Whereas EdWeek Research Center found that 83 percent of educators indicated that SEL is “somewhat” or “very” helpful for the academic learning of students;

Whereas research from Yale University, the University of Cantabria, Jagiellonian University, and Pennsylvania State University indicates that educators who demonstrate greater social and emotional competence are frequently more capable of protecting themselves from burnout; and

Whereas the week of March 6 through March 10, 2023, would be an appropriate period to designate as “National Social and Emotional Learning Week”: Now, therefore, be it

Resolved, That the Senate—

(1) supports the designation of “National Social and Emotional Learning Week”;

(2) recognizes the role that social and emotional learning plays in promoting academic achievement, mental and behavioral health, and future career success for students;

(3) expresses support for expanding access to social and emotional learning for each student and teacher; and

(4) encourages the people of the United States to identify opportunities among Federal agencies to advance social and emotional learning to support students, parents, educators, and their communities.

NOTICE OF INTENT TO OBJECT TO PROCEEDING

I, Senator CHUCK GRASSLEY, intend to object to proceeding to the nomination of Joshua David Jacobs, of Washington, to be Under Secretary for Benefits of the Department of Veterans Affairs, vice Paul R. Lawrence, dated March 14, 2023.

AUTHORITY FOR COMMITTEES TO MEET

Mr. PETERS. Madam President, I have one request for committee to meet during today’s session of the Senate. It has the approval of the Majority and Minority Leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committee is authorized to meet during today’s session of the Senate:

SUBCOMMITTEE ON STRATEGIC FORCES

The Subcommittee on Strategic Forces of the Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, March 14, 2023, at 4:45 p.m., to conduct a hearing.

ORDERS FOR WEDNESDAY, MARCH 15, 2023

Mr. PETERS. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 10 a.m. on Wednesday, March 15; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day and morning business be closed; that following the conclusion of morning business, the Senate proceed to executive session and resume consideration of the Nieman nomination, postcloture; further, that all postcloture time be considered expired at 11:30 a.m. and the Senate vote on confirmation of the nomination; that following the cloture vote on the Garcetti nomination, the Senate recess until 2:15 p.m. to allow for the weekly caucus meetings; and further, that if cloture has been invoked on the Garcetti nomination, all postcloture time be considered expired at 2:15 p.m. and the Senate vote on confirmation of the nomination; and that if cloture is invoked on the Chaudhary nomination, all postcloture time be considered expired at 5:15 p.m.; and finally, that if any nominations are confirmed during Wednesday’s session, the motions to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate’s action.

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

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. PETERS. Mr. President, if there is no further business to come before the Senate, I ask that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:34 p.m., adjourned until Wednesday, March 15, 2023, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF LABOR

JULIE A. SU, OF CALIFORNIA, TO BE SECRETARY OF LABOR, VICE MARTIN JOSEPH WALSH.

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. JAMES W. BIERMAN, JR.

IN THE NAVY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203: