

Hearings are important, but it is clear that we need legislation, because the tech industry has failed, on its own, to protect our kids. They are protecting their profits, but they are not protecting our children. Last year, the committee unanimously reported five bills to combat the crisis of online child sexual exploitation. One of the bills I introduced is my bipartisan STOP CSAM Act, which will end Big Tech's free ride and allow victims to finally hold these companies accountable for their failure to stop online child sexual exploitation. CSAM is an acronym for "child sexual abuse material."

Since the earliest days of the internet, companies have been allowed to act with near impunity. American families harmed by Big Tech's decisions have no means of redress. To illustrate how dangerous this is, consider a change Meta made last month that carries grave consequences for children. Every year, Meta submits tens of millions of CyberTips to the National Center for Missing and Exploited Children, known as NCMEC, concerning CSAM found on its platforms. Each CyberTip involves a victim of exploitation, like a child being sexually abused in a photo that has been traded endlessly online or a child who is being coerced, extorted, groomed, or sold for sexual purposes.

In December, Meta announced it is rolling out end-to-end encryption by default on its Facebook and Messenger platforms. Because of this change, Meta will no longer be able to use certain tools to detect and report child exploitation. Encryption can be a valuable tool for protecting privacy, but it is alarming for a company to kneecap their own work to stop online child sexual exploitation.

According to press reports, Meta employees warned internally that this would greatly diminish the company's ability to identify online child exploitation, and child protection advocates and survivors immediately sounded the same alarm. NCMEC called Meta's adoption of end-to-end encryption "a devastating blow for child protection." NCMEC and other advocates are imploring Meta to pause the rollout until it demonstrates the encryption switch won't cause children harm. That is all they want: for Meta to be sure it won't hurt kids.

This highlights the unacceptable situation we find ourselves in. There are no tools to hold companies accountable. Instead, survivors and advocates are left to plead with these companies to choose safety over profit.

The Phoenix 11, a group of CSAM survivors, powerfully expressed their rage about this situation in a letter they recently sent to the committee. They wrote:

As survivors, we bear the consequences when decisions are made that prioritize profit over children . . . If Meta no longer reports these crimes against us, we alone suffer the consequences.

This is a profoundly disturbing situation. In no other sector of society would we permit one company to make an unreviewable decision that puts millions of American kids at risk. But for almost 30 years, section 230 of the Communications Decency Act has protected the tech industry from accountability for the damage it has done.

You have to look far and wide to find companies or industries that are exempt from liability under the law, civilly or criminally. This is one of those. The law was enacted to allow a fledgling industry to grow, but now it has become an entitlement for the most profitable industry in the history of capitalism to line their profits at the expense of kids.

Every available metric suggests that online child exploitation is getting worse. In the year 2013, NCMEC received approximately 1,380 CyberTips per day. Ten years later, in 2023, this skyrocketed to 100,000 CyberTips per day. Think about that for a second: 100,000 reports of sexual abuse per day.

There has also been a dramatic increase in the number of victims per offender, who can use technology to ensnare a shocking number of children without even leaving their homes. A single defendant prosecuted in Minnesota sextorted over 1,100 children—one person, over 1,000 kids.

What does that consist of? They lure these kids and groom them to the point where they send photographs of themselves that are way too candid and expose things they shouldn't. Then the person says: If you don't want me to put this on the internet, you have to pay me.

This fellow had extorted in that kind of situation over 1,000 kids before he was finally brought to justice. That is the status quo that Congress protects if we do nothing.

Everyone needs to do their part to stop this gross injustice. That includes Congress finally enacting legislation that holds the tech industry accountable when it fails to protect children. That is why the Judiciary Committee will hold its landmark hearing tomorrow. That is why I will continue to work to bring the Stop CSAM Act and other critical bills to protect kids to the Senate floor.

Mr. President, back in the day, before I was elected to office, I was a trial lawyer in small-town America. I made a nice living. I took cases to trial of a different stripe. I am not saying that I was part of the system of justice in this country, but it turns out I was. The fact that people face accountability for their wrongdoing and could end up losing in court is another incentive to do the right thing in your life. Here we have a situation that is clearly, clearly out of control. What is happening is beyond the reach of the most conscientious parents in America.

I am lucky to have some wonderful grandkids. I have two who live in New York. They are 12 years old. I am really proud of them. Their mom worries

about them—and their dad as well—every single day, as they spend way too much time, by their estimation, on screens. They try to encourage them to do the right thing and make sure that they never communicate with people they don't know or provide information or anything else that they shouldn't. But the parents can't be sure that always works—nobody can. They want to do the right thing for their kids.

I told my daughter I was having this hearing. She said: Dad, when you get these execs in front of you, ask them what they do to protect their own kids—their own kids who could be exploited and they wouldn't even know about it.

It is a legitimate question. I don't know if I will be asking it tomorrow. It depends on the circumstances. But it is something that every family across America would like to know: What are you doing, Senator, to protect our kids? It is getting worse instead of better. Can you change the law to help us?

It is up to us to decide. I hope tomorrow's hearing is the beginning of a conversation on a bipartisan basis.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Texas.

ENERGY

Mr. CORNYN. Mr. President, the Biden administration, in the last few days, has made another reckless attempt to try to appease its more radical aspects of its political base—in this case, leftwing climate activists.

Last week, the administration halted new liquefied natural gas projects, effectively chilling new investments in the industry that powers the United States and many of our closest allies. Had the administration announced this decision 3 years ago, it would have been dangerous and shortsighted. But given the state of the world today, this step is almost unthinkable.

Russia's unprovoked war in Ukraine is nearing the 2-year mark. Iran's terrorist proxies are unleashing chaos on the Middle East, and China is responsible for growing tensions in the Indo-Pacific. This is an extremely fraught time—I think we would all have to agree—given that the instigators of each of these conflicts are three of the world's largest natural gas producers.

This is an extremely risky time for energy security. Fortunately, the United States is in a uniquely strong position to temper those risks. We are the world's largest natural gas producer, and, last year, we became the largest LNG exporter. That means energy produced in America, creating American jobs, helping to grow our economy, is being exported to countries all around the world that don't have access to those natural resources.

Around the globe, American LNG supports the energy security of our friends and allies. If they are importing American energy, they don't have to worry about some rogue dictator cutting off the gas with a moment's notice.

Sadly, many of our friends in Europe had to learn this the hard way, after the invasion by Russia of Ukraine, because much of Europe had a single supplier of their energy needs. In 2009, Russia effectively turned off the gas to Ukraine for almost 3 weeks, using that energy supply as a weapon. This affected at least 10 countries in Europe whose natural gas traveled in a pipeline through Ukraine.

In many ways, this should have been a wake-up call for the United States and our allies about the dangers of energy dependence, the lack of diversity in the supply. Relying on anyone—any country—for basic needs like heating, electricity, and fuel creates serious vulnerability, but relying on an adversary, as Europe did, is downright dangerous.

Over the last 15 years, our friends in Europe have been working to diversify their energy supply and reduce their reliance on Russia.

I remember John McCain, our former colleague, saying: “Russia is a gas station masquerading as a country.” It is their principal export and what they use to fuel their economy and, unfortunately, what they use to arm themselves when they invade neighboring countries like Ukraine.

So oil and gas is how they do that, and they somehow had convinced the Europeans that they were a reliable, sole source for that energy.

Well, they learned the hard way after Russia invaded Ukraine. Following Russia’s invasion, Putin became persona non grata on the world stage. No one wanted to do business with Russia. They didn’t want to purchase Russian oil and gas that would help Putin finance his barbaric war, and they certainly didn’t want their energy supply to be subject to the whims of a cruel and vindictive dictator.

Our friends in Europe turned to the United States for LNG, and, fortunately, we were able to fill the gap. Liquefied natural gas exports to Europe more than doubled between 2021 and 2022. That was only possible because of America’s energy producers.

You know, it wasn’t that long ago I remember we were seeing terminals built for the importation of liquefied natural gas from other parts of the world to the United States. But it is a testament to the innovation and the investment in America’s natural resources that allowed, as I said, America to be the No. 1 exporter. So rather than importing that energy from other countries, we are supplying that energy to friends and allies around the world.

Thanks to our energy industry and the incredible men and women behind it, we had the supply, the export terminals, and the ability to send our allies the energy they needed at a critical moment. Had this freeze been issued several years ago—the one President Biden announced last week—that may not have been the case because producers can’t ramp up production and

increase exports overnight. It requires a lot of preparation. It requires infrastructure. It requires deploying your assets strategically. It is not like a faucet you can turn off and on in an instant. The production of energy takes time, investment, infrastructure, and a whole lot of certainty because investors will not invest in something that does not have a reasonable chance of producing a return. Now, with the stroke of a pen, President Biden has virtually eliminated that certainty.

President Biden’s pause, as he calls it, has thrown future LNG projects into limbo, and our allies are understandably spooked. They don’t know if they can continue to count on the United States for the affordable energy they need to keep the lights on, to heat their homes, and to cook their food.

The Biden administration has offered some ambiguous assurances that this decision won’t impact our ability to export LNG to our allies in the near term—whatever that means—but it doesn’t offer much peace of mind, and it certainly doesn’t offer the sort of predictability that the marketplace needs in order to incentivize investment in this energy production. So our allies now are left to question if or when American LNG will stop serving global markets. Today, they are wondering if they should ride this wave while they can or whether it is time to start looking for another seller.

The Biden administration has created unnecessary chaos and confusion on our allies, and for what? A new talking point in a political campaign ad? It just does not make sense in any other context.

It simply is disingenuous to suggest that this is a way to combat climate change, because curbing LNG exports won’t change the reality of the situation we are in today. If countries can’t get access to relatively clean natural gas, what are they going to use? Coal, for example? Certainly nothing as clean as American-produced liquefied natural gas. They can’t just flip a switch and turn to wind, solar, and renewables. At the end of the day, they are going to need fossil fuels for a base-load to keep the lights on.

Texas, I am proud to say, is an “all of the above” State. We produce more electricity from wind than any other State in the Nation. I know we are thought of as exclusively an oil and gas State, but that is simply not factually true, although the Permian Basin, for example, does produce the lion’s share of natural gas for not only America but that we use for export.

At the end of the day, we are going to have to transition. I know people think—again, some people in their fevered dreams think that you can automatically do away with fossil fuels and go to wind turbines and solar panels and renewables. Well, we do need to transition, but we can’t transition overnight. It is going to take time.

I believe America’s innovators, our job creators, will come up with other

ways to generate access to energy that will allow us over time to transition. It is inevitable. We have always been in a period of transition. But it can’t be forced overnight like the Biden administration seems to think it can.

Well, as I said, maybe our allies will turn to coal. Maybe they will purchase natural gas from Russia again or Saudi Arabia, which don’t have nearly the same environmental standards we have in the United States. At the end of the day, one thing is certain: Restricting the supply of American liquefied natural gas isn’t going to make the world’s energy consumption any cleaner, and it is sure to jeopardize global energy security.

Once again, President Biden has missed the forest for the trees. He is so focused on pleasing climate activists that he has lost sight of the bigger picture. American LNG is not the enemy here. In fact, it is a vital security tool.

We have to uplift our closest allies and provide energy at an affordable cost to American families. It gives other countries the ability to source their energy from a stable democracy rather than a temperamental or volatile dictator, and it gives countries lower emissions options—something you would think the Biden administration would want to encourage. Of course, as I mentioned, it creates jobs in places like Texas, North Dakota, and Pennsylvania and lifts up the entire U.S. economy.

The Biden administration’s decision to halt new export projects puts all that in jeopardy at the worst possible time. It weakens U.S. energy security, it kills American jobs, it kneecaps our energy industry, and it sends more business to Russia and Iran.

This isn’t a climate victory. It isn’t an economic victory. It certainly isn’t a victory for our security. This is an unforced error and a pretty transparent attempt to try to please climate activists. The climate-first approach to energy policy isn’t just foolish, it is extremely dangerous. It is hurting our allies and helping our adversaries.

But I want to be clear. I support efforts to diversify our energy sources and reduce emissions. As I mentioned, my State has embraced an “all of the above” energy strategy, which includes oil and gas, solar, wind, and nuclear. But on top of that, Texas-based companies are making enormous strides in energy innovation. Every day, they are finding new ways to make our most prevalent and affordable energy sources cleaner.

I believe we should do more to encourage innovation and diversify our energy sources, but those efforts must come second to energy security. Our top priority must be to ensure the United States and our allies have access to the energy they need to keep the lights on. It is embarrassing that even after what we have witnessed over the last few years, President Biden still hasn’t learned that important lesson.

I yield the floor.

The PRESIDING OFFICER (Mr. MARKEY). The Senator from Ohio.

ONE-YEAR ANNIVERSARY OF THE EAST  
PALESTINE DERAILMENT

Mr. BROWN. Mr. President, I rise today on a pretty solemn occasion in Eastern Ohio. Frankly, I rise today to recognize a town in Eastern Ohio, one that most of my colleagues probably didn't even know existed a year ago.

On February 3, 2023, less than a year ago, 38 railcars from a train spanning 1½ miles—think about that: a train spanning 1½ miles—derailed and overturned right outside the center of East Palestine, OH. Flames flared and thick, black plumes of smoke billowed into the sky. Toxic chemicals started spewing into the air and the water and the ground. We saw the footage. We all saw that footage that dominated the news. People read the articles. They scrolled through it on social media.

Americans watched it, but the people of East Palestine lived it. They had to pack up and evacuate their homes in the middle of the night. They didn't know if the air they were breathing and the water coming from their faucets was safe. Their lives were turned upside down.

My job is to always, always fight for Ohio. When disaster struck, we got to work.

Residents in the surrounding area needed air, water, and soil testing. We secured it.

They needed initial health screenings. We made it happen, and we got the Centers for Disease Control to support a free health clinic.

They needed answers and help with cleanup. We got that done.

Local business owners and farmers and manufacturers needed investment to keep their community alive. We delivered through a loan program through the Department of Agriculture.

Now, essentially, the reporters have packed up and the cameras left the community to chase the next big story, but the people of East Palestine are still there, trying to move forward. Over the last year, I have visited East Palestine a number of times. Our staff is there even more often. Each time, we ask residents what we can do.

They want the contamination cleaned up completely. They want continuous monitoring of the air they breathe, the water they drink, and screenings to see if their long-term health has been impacted. They want assurance that they won't be hit by a surprise tax bill this season, and we included a provision in the bipartisan tax deal to guarantee that—that tax deal that included breaks for our research and development and the child tax credit, voted out of the House Ways and Means Committee 40 to 3.

We are fighting for all of it. We are not giving up. We will keep asking and listening and making sure they get what they need.

As we sat at roundtables of their local businesses and toured the health

clinic and walked through the fields of their family farms, I had the privilege of getting to know better this town and the people who call East Palestine home.

They have a rich history. For decades, this community, this county, manufactured ceramics in this area, and their economy boomed. And like my hometown of Mansfield, when bad trade deals shipped those jobs overseas and the factories closed their doors, the community came together and persevered.

I listened to their family stories, their hopes for their hometown, and their concerns for its future. In every visit, every conversation, every interaction, I saw determination and heart. When I think about East Palestine, I don't just think about a train derailment; I think about the resilience they have shown the world. I think about firefighters who were first on the scene that night of the derailment, having no idea what they were exposing themselves to; but that was their job. And all but one at the fire department—the chief is the exception—all but one of them is a volunteer. They have returned to work every day, despite what they found, to serve their community.

I think about the parents who fought to make sure the town will still be their home and where their families feel safe. I think about the business owners and farmers and manufacturers working to resume pre-derailment operations, and I have no doubt they will.

The people of East Palestine want the support and the compensation they are owed. They do not want this derailment to define them. I don't want that either. I don't want any other community in Ohio or around the country to have to deal with a disaster like this ever again.

Make no mistake, this derailment was preventable. The train barreled past sensors that raised the alarm, but Norfolk Southern didn't tell the crew to stop. Norfolk Southern laid off a third of their workers in the last decade. Now, they are trying to take even more crew members off trains—trains that can be miles long and carry dangerous chemicals.

Understand that in the 10 years leading up to this, a third of Norfolk Southern workers were laid off. There were stock buybacks, big dividends for the executives, and look what happened to public safety. The company is known to rush safety inspections—inspections that could help spare communities from disaster.

It paints a picture of a company culture obsessed with profits at the expense of safety and the communities their trains pass through. It is the Wall Street business model: cut costs to boost your stock price, cash out millions in executive bonuses, dole out eye-popping stock buybacks—the people of East Palestine be damned.

We aren't letting Norfolk Southern get away with it again. We aren't going to let them dismiss another vibrant

heartland town as collateral damage. We have to make sure it doesn't happen again.

One month after the derailment, Senator VANCE and I teamed up to introduce the bipartisan Railway Safety Act to hold big rail companies accountable and to stop a disaster like this from ever happening again.

I spent last year advocating for rail safety across Ohio in cities and towns that have had train derailments. It is not just East Palestine. It is Steubenville. It is Ravenna. It is Sandusky. It is Springfield. It is Massillon and more. All had Norfolk Southern derailments within a year of the East Palestine crash. Each one of these communities is another reason why we must get this commonsense bill across the finish line and hold Norfolk Southern accountable.

After the derailments in Sandusky and Springfield, Norfolk Southern refused to pay what they owe. When local leaders came to us, we demanded they make their payments; and, finally—of course, reluctantly, because it affected their bottom line—they did.

That is how I approach this job. I listen to the people we serve. Here is my message to the people of East Palestine and every single Ohioan from Cincinnati to Ashtabula, from Toledo to Athens, and everywhere in between: I will continue to fight for Ohio every single time. When disaster strikes, we show up. We find ways to make sure every community gets what they need. We fight to make sure these tragedies never happen again.

I have told the people of East Palestine—and I keep telling them—that I am there for the long haul. I can count the number of times that people said: Well, nobody will come back once the cameras leave.

Well, the cameras have mostly left. I have been there eight times. I will continue to be there. I will continue to fight for the people of Columbiana County. I will always fight to hold Norfolk Southern accountable. I will always fight to make our railways safer.

NOMINATION OF JOSHUA PAUL KOLAR

Mr. DURBIN. Mr. President, today, the Senate will vote to confirm U.S. Magistrate Judge Joshua Kolar to the U.S. Court of Appeals for the Seventh Circuit.

After receiving his B.A. and J.D. from Northwestern University, Judge Kolar worked in private practice and clerked for Judge Wayne R. Andersen on the U.S. District Court for the Northern District of Illinois. From 2007 to 2018, Judge Kolar was an assistant U.S. attorney in the U.S. Attorney's Office for the Northern District of Indiana. He prosecuted a range of cases, including public corruption, terrorism-related offenses, violent crimes, narcotics conspiracies, and firearms offenses. Over the course of his legal career, Judge Kolar tried 16 cases to verdict and briefed or argued 20 appeals before the Seventh Circuit.