

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.

In 2019, Judge Kolar was selected by the district judges of the Northern District of Indiana to be a magistrate judge, where he presides over civil and criminal cases. Since 2009, Judge Kolar has also honorably served his country as a Reservist and on Active Duty in the U.S. Navy. Judge Kolar has the strong support from his home State Senators, Mr. YOUNG and Mr. BRAUN. In addition, he was unanimously rated "well qualified" by the American Bar Association.

Taken together, Judge Kolar's service to his country in the military and as a prosecutor, his extensive appellate experience, and his service as a magistrate judge make him well-suited to serve on the Seventh Circuit with distinction.

I urge my colleagues to support Judge Kolar's nomination.

Mr. BROWN. Mr. President, I ask unanimous consent that the scheduled vote occur immediately.

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

#### VOTE ON KOLAR NOMINATION

The question is, Will the Senate advise and consent to the Kolar nomination?

Mr. BROWN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Pennsylvania (Mr. FETTERMAN) and the Senator from West Virginia (Mr. MANCHIN) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the Senator from Idaho (Mr. CRAPO), the Senator from South Carolina (Mr. GRAHAM), the Senator from Wisconsin (Mr. JOHNSON), the Senator from Utah (Mr. LEE), the Senator from Idaho (Mr. RISCH), and the Senator from South Carolina (Mr. SCOTT).

The result was announced—yeas 66, nays 25, as follows:

[Rollcall Vote No. 25 Ex.]

#### YEAS—66

Baldwin	Grassley	Reed
Bennet	Hassan	Romney
Blumenthal	Heinrich	Rosen
Booker	Hickenlooper	Rounds
Braun	Hirono	Sanders
Brown	Kaine	Schatz
Butler	Kelly	Schumer
Cantwell	Kennedy	Shaheen
Capito	King	Sinema
Cardin	Klobuchar	Smith
Carper	Lujan	Stabenow
Casey	Markey	Tester
Cassidy	Menendez	Thune
Collins	Merkley	Tillis
Coons	Moran	Van Hollen
Cornyn	Mullin	Warner
Cortez Masto	Murkowski	Warnock
Cramer	Murphy	Warren
Duckworth	Murray	Welch
Durbin	Ossoff	Whitehouse
Ernst	Padilla	Wyden
Gillibrand	Peters	Young

#### NAYS—25

Blackburn	Hawley	Rubio
Boozman	Hoeben	Schmitt
Britt	Hyde-Smith	Scott (FL)
Budd	Lankford	Sullivan
Cotton	Lummis	Tuberville
Cruz	Marshall	Vance
Daines	McConnell	Wicker
Fischer	Paul	
Hagerty	Ricketts	

#### NOT VOTING—9

Barrasso	Graham	Manchin
Crapo	Johnson	Risch
Fetterman	Lee	Scott (SC)

The nomination was confirmed.

The PRESIDING OFFICER (Mr. WARNOCK). Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

The majority leader.

#### LEGISLATIVE SESSION

Mr. SCHUMER. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I move to proceed to executive session to consider Calendar No. 477.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Lisa W. Wang, of the District of Columbia, to be a Judge of the United States Court of International Trade.

#### CLOTURE MOTION

Mr. SCHUMER. I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 477, Lisa W. Wang, of the District of Columbia, to be a Judge of the United States Court of International Trade.

Charles E. Schumer, Richard J. Durbin, Brian Schatz, Mazie K. Hirono, Tina Smith, Gary C. Peters, Amy Klobuchar, Raphael G. Warnock, Catherine Cortez Masto, Alex Padilla, Mark R. Warner, Tim Kaine, Sheldon Whitehouse, Martin Heinrich, Christopher A. Coons, Margaret Wood Hassan, Peter Welch.

#### LEGISLATIVE SESSION

Mr. SCHUMER. I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Mr. SCHUMER. I move to proceed to executive session to consider Calendar No. 476.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Joseph Albert Laroski, Jr., of Maryland, to be a Judge of the United States Court of International Trade.

#### CLOTURE MOTION

Mr. SCHUMER. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 476, Joseph Albert Laroski, Jr., of Maryland, to be a Judge of the United States Court of International Trade.

Charles E. Schumer, Richard J. Durbin, Brian Schatz, Mazie K. Hirono, Tina Smith, Gary C. Peters, Amy Klobuchar, Raphael G. Warnock, Catherine Cortez Masto, Alex Padilla, Mark R. Warner, Tim Kaine, Sheldon Whitehouse, Martin Heinrich, Christopher A. Coons, Margaret Wood Hassan, Peter Welch.

Mr. SCHUMER. I ask unanimous consent that the mandatory quorum calls for the cloture motions filed today, January 30, be waived.

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

#### LEGISLATIVE SESSION

#### MORNING BUSINESS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to legislative session and be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

#### ARMS SALES NOTIFICATION

Mr. CARDIN. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale