

have been dying trying to deliver the aid to the hospital or the aid to the warehouse.

The failure to have a sane, efficient inspection process—which we know is possible because Israel was able to do that for 500 trucks a day before October 7—in combination with the complete failure of deconfliction has resulted in a very small amount of aid getting in. That is the challenge. That is the challenge truckdrivers face, with broken roads and falling bombs and artillery shells, risking their lives as they do every day and making it extremely difficult.

For months, President Biden, Secretary of State Blinken, Defense Secretary Austin, and other senior members of the administration have been urging the Netanyahu government to change course. They have urged the Netanyahu government to adopt a strategy against Hamas that does not produce this tremendous number of civilian deaths, civilian injuries, and massive suffering. And Netanyahu has stiff-armed the American Government. They have made some little changes here and there but the same basic fact—massively insufficient supply of food and water and medical supplies.

I have heard how members of the administration, the top teams, have had very testy, very difficult conversations with Prime Minister Netanyahu and with his other core leaders. But, you know what, no matter how much we ask, no matter how often we ask, the same result—massively insufficient humanitarian aid.

So President Biden's request to change war strategies has been rejected, President Biden and his team's request to massively increase humanitarian aid have been rejected, and the circumstances get worse and worse and worse in Gaza with every passing day.

President Biden is doing the right thing by trying to urge Israel to make those changes, but the Netanyahu government has been very clear in the end that they are not going to do so. So the strategy, however well-intentioned, however passionately carried, has failed.

This leaves us, the United States of America—it leaves us in a terrible place. We are Israel's closest partner. The suffering in Gaza now becomes part of our story. It becomes part of our responsibility. As Israel's largest supplier of economic aid, it becomes part of our responsibility. As Israel's largest supplier of military aid, it becomes part of our responsibility. As Israel's largest supplier specifically of bombs and artillery shells that the Netanyahu government has used in that indiscriminate bombing that President Biden talks about, it becomes our responsibility. Thus, if it is our responsibility, we have to act. The United States must act. Asking politely or asking urgently or asking passionately or asking often to Israel is not enough. That strategy—it has failed.

That is why it is incumbent on the United States to immediately stand up a rescue operation—Operation Gaza Rescue—to get that massive humanitarian aid into Gaza, to deliver the food, the water, the medical supplies.

It is time to make sure that every one of the 13 remaining hospitals—13 out of 36—has all the medicines and medical supplies it needs. We can do that through immediate and sustained helicopter deliveries. We can do that with direct deconfliction with the Israelis because they are not going to shoot down American helicopters delivering aid.

How do we know that deconfliction can work in that setting? Because it has already been done. Jordan has been delivering on repeated occasions assistance through airdrop deliveries. If Jordan can do this, the United States, with our massive capabilities, can do so.

It is time not just to ensure that every hospital has everything it needs but to ensure there is enough food and water to alleviate the massive hunger and the massive challenge of citizens unable to currently get clean water. We know that dirty water will produce disease. We know that sustained undernutrition or malnutrition—starvation—will produce significant challenges, illness. The combination is terrible, even before you add in the massive injuries from the bombing and the shelling. We can get that food and we can get that water into Gaza. It is a 40-mile coastline. We have huge assets that can deliver food and water from sea to shore. It is our responsibility to do so.

We are at this point—because of our close relationship and partnership with Israel, we, the United States, are complicit in the starvation, the hunger, the thirst, the illness, the brokenness, the suffering of the Gazan people. So I direct my comments to President Biden and his top team: You all worked very hard to find a path through Israel to get the aid in, and it has failed. I commend you for trying. But now it is our responsibility, our moral responsibility, to no longer be complicit in this humanitarian catastrophe. We must act and act now.

I encourage President Biden and his team: Meet today. Send the orders to ships today to get offshore. Launch the plans today to be able to provide those medical supplies to those 13 hospitals. Prepare those plans now for sea-to-shore delivery of food and water.

Communicate to Israel that we are going to do this because we will not be complicit in this humanitarian catastrophe that is ongoing; that we value the life of every civilian, every Palestinian civilian, we value the life of every Palestinian woman and child, and we, the United States, are going to act.

President Biden, I encourage you not to only meet with your team to plan this but to announce it to the American people. The American people are

deeply concerned about our close association with this humanitarian disaster. The world is very concerned about our close association and complicity in this humanitarian disaster. So speak to us, the American people, that Team Biden will act not in a week, not in a month, not when the war ends—but now. There is no time to waste, and this is a moral imperative.

It is the United States that so often says to the rest of the world: What has gone on here, and why have you allowed it to happen?

This is an unacceptable humanitarian catastrophe, and you must address it. That is the United States talking to the world, but now we have a humanitarian catastrophe that is in our hands, our responsibility, and we have to carry that responsibility squarely, directly, and act immediately and boldly. American complicity in the suffering of the Palestinians living in Gaza must end.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. KAINE). Without objection, it is so ordered.

SUPPLEMENTAL FUNDING

Mr. SCHUMER. Mr. President, it is a very good thing that today the Senate cleared the first procedural hurdle to pass the national security supplemental.

For the information of Senators, the Senate will convene tomorrow at 12 noon to resume postcloture debate on the motion to proceed. If no agreement is reached, the Senate will vote on the motion to proceed at approximately 7 p.m. tomorrow evening.

As I said this morning, we still hope to reach an agreement with our Republican colleagues on amendments. Democrats have always been clear that we support having a fair and reasonable amendment process. Nevertheless, the Senate will keep working on this bill until the job is done.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. Now, Mr. President, on a few more procedural matters, I ask unanimous consent that the Senate proceed to executive session to consider the following nomination: Calendar No. 482, Jeffrey Prescott, of the District of Columbia, to be U.S. Representative to the United Nations Agencies for Food and Agriculture, with the rank of Ambassador; that the Senate vote on the nomination without intervening action or debate; that the motion to reconsider be considered made and laid upon the table; that the President be immediately notified of

the Senate's action; and that the Senate resume legislative session.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Jeffrey Prescott, of the District of Columbia, to be U.S. Representative to the United Nations Agencies for Food and Agriculture, with the rank of Ambassador.

There being no objection, the Senate proceeded to consider the nomination.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Prescott nomination?

The nomination was confirmed.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

FEDERAL AGENCY PERFORMANCE ACT OF 2023

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 46, S. 709.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 709) to improve performance and accountability in the Federal Government, and for other purposes.

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Homeland Security and Governmental Affairs, with an amendment as follows:

(The part of the bill intended to be inserted is printed in italic.)

S. 709

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 "Federal Agency Performance Act of 2023".

SEC. 2. ESTABLISHMENT OF STRATEGIC REVIEWS AND REPORTING.

(a) STRATEGIC REVIEWS.—

(1) IN GENERAL.—Section 1121 of title 31, United States Code, is amended—

(A) by striking the section heading and inserting "Progress reviews and use of performance information"; and

(B) by adding at the end the following:

"(c) AGENCY REVIEWS OF PROGRESS TOWARDS STRATEGIC GOALS AND OBJECTIVES.—

"(1) COVERED GOAL DEFINED.—In this subsection, the term 'covered goal' means a goal or objective established in the strategic plan of the agency under section 306(a) of title 5.

"(2) REVIEW.—Not less frequently than annually and consistent with guidance issued by the Director of the Office of Management and Budget, the head and Chief Operating Officer of each agency, shall—

"(A) for each covered goal, review with the appropriate agency official responsible for the covered goal—

"(i) the progress achieved toward the covered goal—

"(I) during the most recent fiscal year; or

"(II) from recent sources of evidence available at the time of the review; and

"(ii) the likelihood that the agency will achieve the covered goal;

"(B) coordinate with relevant personnel within and outside the agency who contribute to the accomplishment of each covered goal;

"(C) assess progress toward each covered goal by reviewing performance information and other types of evidence relating to each covered goal, such as program evaluations and statistical data;

"(D) identify whether additional evidence is necessary to better assess progress toward each covered goal, and prioritize the development of the evidence described in subparagraph (C), such as through the plans required under section 312 of title 5, if applicable;

"(E) assess whether relevant organizations, program activities, regulations, policies, and other activities contribute as planned to each covered goal;

"(F) as appropriate, leverage the assessment performed under subparagraph (E) as part of the portfolio reviews required under section 503(c)(1)(G);

"(G) identify any risks or impediments that would reduce or otherwise decrease the likelihood that the agency will achieve the covered goal; and

"(H) for each covered goal at greatest risk of not being achieved, identify prospects and strategies for performance improvement, including any necessary changes to program activities, regulations, policies, or other activities of the agency.

"(3) SUPPORT.—In fulfilling the requirements of paragraph (2), the head and Chief Operating Officer of each agency shall be supported by—

"(A) the Performance Improvement Officer of the agency;

"(B) as appropriate, the Chief Data Officer, Evaluation Officer, Program Management Improvement Officer, and Statistical Official of the agency; and

"(C) any other senior agency official designated by the head of the agency, the sustained involvement of whom may help the agency increase the likelihood of achieving 1 or more covered goals."

(2) CONFORMING AMENDMENT.—The table of sections for Chapter 11 of title 31, United States Code, is amended by striking the item relating to section 1121 and inserting the following:

"1121. Progress reviews and use of performance information."

(b) SUMMARY REQUIRED.—Section 1116 of title 31, United States Code, is amended—

(1) in subsection (c)—

(A) in paragraph (6)(E), by striking "and" at the end;

(B) in paragraph (7), by striking the period at the end and inserting "; and"; and

(C) by adding at the end the following:

"(8) include a summary of the findings of the review of the agency under section 1121(c)."; and

(2) by striking subsections (f) through (i).

SEC. 3. REVISIONS TO THE FEDERAL PERFORMANCE WEBSITE.

Section 1122 of title 31, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (2)—

(i) in subparagraph (C)—

(I) by inserting "required to be included on the single website under subparagraph (A) and the information"; before "in the program inventory"; and

(II) by striking "and" at the end;

(ii) in subparagraph (D), by striking the period at the end and inserting "; and"; and

(iii) by adding at the end the following:

"(E) ensure that the website described in subparagraph (A) conforms with the requirements for websites under section 3(a) of the

21st Century Integrated Digital Experience Act (44 U.S.C. 3501 note)."; and

(B) in paragraph (4), by striking subparagraph (A) and inserting the following:

"(A) archive and preserve—

"(i) the information included in the program inventory required under paragraph (2)(B), including the information described in paragraph (3), after the end of the period during which that information is made available; and

"(ii) the information included in the single website under paragraph (2)(A) in accordance with subsections (b) and (c) after the end of the period during which such information is made available on the website; and";

(2) in subsection (b), by striking paragraph (6) and inserting the following:

"(6) the results achieved toward the agency priority goals established under section 1120(b)—

"(A) during the most recent quarter and overall trend data for each quarter compared to the planned level of performance; and

"(B) at the end of the 2-year agency priority goal period compared to the overall planned level of performance."; and

(3) in subsection (c), by striking paragraph (5) and inserting the following:

"(5) the results achieved toward the priority goals developed under section 1120(a)(1)—

"(A) during the most recent quarter and overall trend data for each quarter compared to the planned level of performance; and

"(B) at the end of the 4-year Federal Government priority goal period compared to the overall planned level of performance;"

SEC. 4. FEDERAL GOVERNMENT PRIORITY GOALS.

Section 1120(a)(2) of title 31, United States Code, is amended by striking the second sentence and inserting "Such goals shall—

"(A) be updated and revised not less frequently than during the first year of each Presidential term;

"(B) be made publicly available not less frequently than concurrently with the submission of the budget of the United States Government under section 1105(a) made during the first full fiscal year following any year during which a term of the President commences under section 101 of title 3;

"(C) include plans for the successful achievement of each goal within each single Presidential term; and

"(D) explicitly cite to any specific contents of the budget described in subparagraph (B) that support the achievement of each goal."

SEC. 5. FEDERAL GOVERNMENT PRIORITY GOAL CO-LEADERS.

Section 1115(a) of title 31, United States Code, is amended by striking paragraph (3) and inserting the following:

"(3) For each Federal Government performance goal, identify, as appropriate, not fewer than 2 lead Government officials who shall jointly be responsible for coordinating the efforts to achieve the goal, of whom—

"(A) not less than 1 shall be from the Executive Office of the President; and

"(B) not less than 1 shall be from an agency identified as contributing to the Federal Government performance goal described in paragraph (2)."

SEC. 6. ESTABLISHMENT OF DEPUTY PERFORMANCE IMPROVEMENT OFFICERS.

Section 1124(a) of title 31, United States Code, is amended—

(1) by striking paragraph (1) and inserting the following:

"(1) ESTABLISHMENT.—At each agency, the head of the agency, in consultation with the Chief Operating Officer of the agency, shall designate—