

preexisting societal biases? To return to our dog analogy, if the dog is only trained to fetch tennis balls, it may not understand how to fetch a stick, or it may return the stick to a different person.

The same problem happens with algorithms involved in decisions around banking, healthcare, and the criminal justice system, but with much more serious results. Numerous studies and reports have revealed the consequences that biased algorithms have for marginalized communities.

For example, a 2019 report found that due in part to biased mortgage approval algorithms, lenders were 80 percent more likely to reject Black applicants than similar White applicants. On another occasion, a tech company found that its AI resume screening tools recommended male applicants for jobs at much higher rates than similar female applicants. And, just yesterday, a comprehensive new report found that 92 million low-income Americans are subject to algorithmic decision making and, therefore, potentially subject to bias and discrimination baked into these algorithms.

This is unacceptable. That is why, in September, I introduced my AI Civil Rights Act, comprehensive legislation intended to ensure that the AI age does not replicate and supercharge the bias and discrimination already prevalent today in our real world.

Specifically, my legislation would impose new rules when companies use algorithms to make decisions on employment, banking, healthcare, the criminal justice system, and other important aspects of our lives.

Today, I am proud to announce that 54 new organizations have endorsed my bill, including some of the biggest labor unions in the country, critical housing organizations, and indispensable civil rights groups. In total, 80 civil rights organizations and AI experts have endorsed my AI Civil Rights Act.

This support sends a clear message: As Congress considers AI legislation in the coming weeks and years, we must ensure that the AI age does not come at the expense of already marginalized communities.

We cannot allow AI to stand for “accelerating injustice” in our country. We have a choice. Do we promote innovation without addressing AI bias and discrimination? Do we protect profits instead of people? Do we allow biased black box algorithms to control our lives?

Make no mistake: We can have an AI revolution while also protecting the civil rights and liberties of everyday Americans. We can support innovation without supercharging bias and discrimination. And we can promote competition while safeguarding people’s rights. And that is why we must pass my Artificial Intelligence Civil Rights Act.

This is the beginning of an era where we can do this right. But it is up to

Congress to make sure that that happens.

With that, I yield back.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

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. 782, Noel Wise, of California, to be United States District Judge for the Northern District of California.

Charles E. Schumer, Richard J. Durbin, Peter Welch, Cory A. Booker, John W. Hickenlooper, Martin Heinrich, Laphonza R. Butler, Elizabeth Warren, Jack Reed, Margaret Wood Hassan, Catherine Cortez Masto, Alex Padilla, Sheldon Whitehouse, Tammy Baldwin, Debbie Stabenow, Gary C. Peters, Tina Smith.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Noel Wise, of California, to be United States District Judge for the Northern District of California, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. MANCHIN) is necessarily absent.

The yeas and nays resulted—yeas 50, nays 49, as follows:

[Rollcall Vote No. 301 Ex.]

YEAS—50

Baldwin	Heinrich	Rosen
Bennet	Helmy	Sanders
Blumenthal	Hickenlooper	Schatz
Booker	Hirono	Schumer
Brown	Kaine	Shaheen
Butler	Kelly	Sinema
Cantwell	King	Smith
Cardin	Klobuchar	Stabenow
Carper	Luján	Tester
Casey	Markey	Van Hollen
Coons	Merkley	Warner
Cortez Masto	Murphy	Warnock
Duckworth	Murray	Warren
Durbin	Ossoff	Welch
Fetterman	Padilla	Whitehouse
Gillibrand	Peters	Wyden
Hassan	Reed	

NAYS—49

Barrasso	Graham	Ricketts
Blackburn	Grassley	Risch
Boozman	Hagerty	Romney
Braun	Hawley	Rounds
Britt	Hoeben	Rubio
Budd	Hyde-Smith	Schmitt
Capito	Johnson	Scott (FL)
Cassidy	Kennedy	Scott (SC)
Collins	Lankford	Sullivan
Cornyn	Lee	Thune
Cotton	Lummis	Tillis
Cramer	Marshall	Tuberville
Crapo	McConnell	Vance
Cruz	Moran	Wicker
Daines	Mullin	Young
Ernst	Murkowski	
Fischer	Paul	

NOT VOTING—1

Manchin

The PRESIDING OFFICER (Mr. KING). On this vote, the yeas are 50, the nays are 49.

The motion was agreed to.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The bill 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. 790, Gail A. Weilheimer, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania.

Charles E. Schumer, Richard J. Durbin, John W. Hickenlooper, Jeanne Shaheen, Catherine Cortez Masto, Margaret Wood Hassan, Sheldon Whitehouse, Gary C. Peters, Tina Smith, Tammy Baldwin, Jack Reed, Ron Wyden, Christopher A. Coons, Brian Schatz, Chris Van Hollen, Alex Padilla, Richard Blumenthal.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Gail A. Weilheimer, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Florida (Mr. RUBIO) and the Senator from Ohio (Mr. VANCE).

The yeas and nays resulted—yeas 51, nays 47, as follows:

[Rollcall Vote No. 302 Ex.]

YEAS—51

Baldwin	Heinrich	Reed
Bennet	Helmy	Rosen
Blumenthal	Hickenlooper	Sanders
Booker	Hirono	Schatz
Brown	Kaine	Schumer
Butler	Kelly	Shaheen
Cantwell	King	Sinema
Cardin	Klobuchar	Smith
Carper	Luján	Stabenow
Casey	Manchin	Tester
Coons	Markey	Van Hollen
Cortez Masto	Merkley	Warner
Duckworth	Murphy	Warnock
Durbin	Murray	Warren
Fetterman	Ossoff	Welch
Gillibrand	Padilla	Whitehouse
Hassan	Peters	Wyden

NAYS—47

Barrasso	Crapo	Kennedy
Blackburn	Cruz	Lankford
Boozman	Daines	Lee
Braun	Ernst	Lummis
Britt	Fischer	Marshall
Budd	Graham	McConnell
Capito	Grassley	Moran
Cassidy	Hagerty	Mullin
Collins	Hawley	Murkowski
Cornyn	Hoeben	Paul
Cotton	Hyde-Smith	Ricketts
Cramer	Johnson	Risch

Romney
Rounds
Schmitt
Scott (FL)

Scott (SC)
Sullivan
Thune
Tillis

Tuberville
Wicker
Young

NOT VOTING—2

Rubio

Vance

The PRESIDING OFFICER (Mr. HELMY). On this vote, the yeas are 51, the nays are 47.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The assistant bill clerk read the nomination of Gail A. Weilheimer, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania.

The PRESIDING OFFICER. The Senator from Hawaii.

AMENDING THE NATIVE AMERICAN TOURISM AND IMPROVING VISITOR EXPERIENCE ACT

UNLOCKING NATIVE LANDS AND OPPORTUNITIES FOR COMMERCE AND KEY ECONOMIC DEVELOPMENTS ACT OF 2023

ACCEPTING THE REQUEST TO REVOKE THE CHARTER OF INCORPORATION OF THE LOWER SIOUX INDIAN COMMUNITY IN THE STATE OF MINNESOTA

Mr. SCHATZ. Mr. President, the past 4 years have been the most productive ever for the Senate Committee on Indian Affairs. Working on a bipartisan basis, we have secured the largest investment in Native communities in American history and enacted more than two dozen bills into law. The progress we have made is real, it is tangible, and it is meaningful. But there is still a lot of work to do to live up to our responsibilities to these communities, including in the final weeks of this Congress.

There are currently more than a dozen bills that have advanced out of our committee on a unanimous, bipartisan basis but have yet to receive full Senate consideration, and there is no good reason for them to languish for months or even years without action.

My bill, S. 385, makes technical corrections to the Native American Tourism and Improving Visitor Experience Act, which authorizes grants to Indian Tribes, Tribal organizations, and Native Hawaiian organizations for recreational travel and tourism activities. This bill was reported out of committee more than a year and a half ago. There has been more than enough time to raise concerns and rectify any issues. It is time to get this done now.

S. 1322, the Unlocking Native Lands and Opportunities for Commerce and Key Economic Developments, or UNLOCKED, Act would enable Indian Tribes to lease their own land for up to

99 years for business and other purposes and to approve certain rights-of-way on their lands under existing law. Senator MURKOWSKI and I introduced this legislation that will incentivize more businesses to invest in Indian Country. This commonsense legislation will support Tribes and their economic development needs.

Finally, S. 2868 was introduced by Senator SMITH on behalf of the Lower Sioux Indian Community to revoke the Tribe's Indian Reorganization Act, Section 17 Charter of Incorporation. The Tribe testified in committee that the charter is actively hindering its economic development activities because it can't do things without the Interior Secretary's approval. The Tribe's charter has been in place since 1937. Only Congress has the power to revoke such charters and has acted to revoke such charters previously for a number of Tribes.

So, as if in legislative session, I ask unanimous consent that the Senate proceed to the immediate consideration of the following bills en bloc: Calendar No. 34, S. 385; Calendar No. 342, S. 1322; and Calendar No. 490, S. 2868.

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

The legislative clerk read as follows:

A bill (S. 385) to amend the Native American Tourism and Improving Visitor Experience Act to authorize grants to Indian tribes, tribal organizations, and Native Hawaiian organizations, and for other purposes.

A bill (S. 1322) to amend the Act of August 9, 1955, to modify the authorized purposes and term period of tribal leases, and for other purposes.

A bill (S. 2868) to accept the request to revoke the charter of incorporation of the Lower Sioux Indian Community in the State of Minnesota at the request of that Community, and for other purposes.

The PRESIDING OFFICER. Is there objection to proceeding to the measures en bloc?

The Senator from South Dakota.

Mr. ROUNDS. Mr. President, reserving the right to object, I would like to offer an additional piece of legislation that I think would be very appropriate to include in the proposal.

I ask today for consideration of the Wounded Knee Massacre Memorial and Sacred Site Act; that is, H.R. 3371-S. 2088. This would place 40 acres of tribally purchased land at the massacre site into restricted fee status.

Both the Oglala Sioux Tribe and the Cheyenne River Sioux Tribe hold a very deep connection to this event. This is the Wounded Knee Massacre site. There were relatives coming from the Cheyenne River Tribe down to winter near Pine Ridge. That is where this event occurred, and it is one of the most terrible events in the history of the United States, where Native Americans were killed and they were left to freeze in a snowstorm.

As you all know, the Wounded Knee Massacre not only represents a low point in U.S.-Lakota relations, but it also serves as truly one of the darkest moments in our Nation's history.

To date, the Wounded Knee Massacre grounds remain a symbolic site, with Tribal members regularly visiting the area to honor the deceased.

In 2022, both Tribes purchased the 40 acres from a private owner in an effort to preserve the land. Shortly after the purchase, both Tribes signed a covenant holding that the property shall be held and maintained as a memorial and sacred site without any other development. This legislation, which simply places the 40 acres into restricted fee status, will help preserve the site for future Tribal generations.

As we approach the 134th anniversary next month of the Wounded Knee Massacre, it is my hope that we can come together to acknowledge this event and work to amend our history through reconciliation and mutual respect. Although we can't rewrite the past, the Wounded Knee Massacre Memorial and Sacred Site Act is one way to show healing and progress.

This legislation easily passed the House and has languished in the U.S. Senate for months. Passing this legislation during Native American Heritage Month is of great importance to Wounded Knee descendants from my home State.

Look, this is one of those areas where you have two Tribes that lost members, and their relatives are still there; they still honor that site. I agree that the other pieces of legislation that are here in front of us, I think, are good, and I think they represent some of the best work of the United States, where you set aside differences, you come together, and you pass good legislation. I believe this legislation fits that particular sect as well.

So, with that, I would simply ask the Senator that he would modify this request to include H.R. 3371, the Wounded Knee Massacre Memorial and Sacred Site Act.

The PRESIDING OFFICER. Is there objection to the modification?

The Senator from North Carolina.

Mr. TILLIS. Mr. President, reserving the right to object, I want to make this very clear to the members of the Oglala Sioux Tribe and the Cheyenne River Tribe: This is not about you. As a matter of fact, I know you have been seeking this for—it has been 100 years since the event they have memorialized, and you have been seeking this for quite some time. But you need to know that your leadership is playing a game that will ultimately force me to take a position on the modification.

I believe that the Wounded Knee Massacre Memorial is at a sacred site, and the act really does need to come into law—just not yet. The reason is, I have an issue with their Tribal leadership. I have an issue with the Sioux's leadership going after the Lumbee Tribe in Eastern North Carolina.

The Lumbee have been trying to seek recognition for years, and there is a long and sordid trail of racism, the Jim Crow era, and things that I will not talk about today, but I will in the coming weeks.