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Senate

The Senate met at 10 a.m. and was called to order by the Honorable PETER WELCH, a Senator from the State of Vermont.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Our God and King, we come in thankfulness because You have loved us through all the seasons of our lives. We find peace in the knowledge that You know and accept us as we are. Thank You for enabling us to run and not be weary, to walk and not faint. Lord, keep us always in Your care.

Bless our Senators. Keep them steadfast in their defense of freedom. Give them knowledge, compassion, kindness, and forbearance as they interact with one another.

God, bless our Nation. Drive back the forces of evil, and release the power of goodness throughout our land.

We pray in Your strong Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mrs. MURRAY).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, April 19, 2023.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable PETER WELCH, a Senator from the State of Vermont, to perform the duties of the Chair.

PATTY MURRAY,
President pro tempore.

Mr. WELCH thereupon assumed the Chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

LEGISLATIVE SESSION

FIRE GRANTS AND SAFETY ACT—Resumed

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 870, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (S. 870) to amend the Federal Fire Prevention and Control Act of 1974 to authorize appropriations for the United States Fire Administration and firefighter assistance grant programs.

Pending:

Schumer amendment No. 58, to add an effective date.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

DEBT CEILING

Mr. SCHUMER. Mr. President, let me begin with a quote:

I can't imagine anybody ever even thinking of using the debt ceiling as a negotiating wedge.

These words are not mine. They are not even the words of a Democrat. They come from former President Donald Trump.

For all of his terrible flaws—in this case, I would say a broken clock is right twice a day—even Donald Trump understood what House Republicans today do not: The full faith and credit of the United States must never be taken hostage.

Again, to quote former President Trump:

I can't imagine anybody ever even thinking of using the debt ceiling as a negotiating wedge.

Time is ticking before the United States enters into a first-ever default on the national debt if things don't change.

Yesterday, Speaker MCCARTHY met with House Republicans in the hopes of uniting his party around a single framework of cuts, albeit one that will never become law. Speaker MCCARTHY's meeting, from all reports, did not go well, to put it lightly.

One GOP Member said yesterday:

I am still a no.

Another from Florida:

I think that they should go further. . . . I am in favor of very aggressive cuts.

Another from South Carolina:

I'm not there yet.

We could go on and on with these quotes.

Even now, Speaker MCCARTHY—this is months and months after he proposed making deep cuts as a condition, as brinksmanship, as hostage-taking, to just simply make sure that we avoid default—even now, he is still very short of the support he needs to pass a debt ceiling bill because the chasm is too big between moderates and the hard-right extremists who are glad to see the economy taken hostage in exchange for their priorities.

As the Washington Post wrote this weekend:

Many GOP lawmakers and aides admit it is not even clear whether their emerging plan can actually attract 218 votes.

And now the clock is ticking. We are getting closer and closer to when we have to act to avoid default.

So for all the speeches, for all the letters, for all the wish lists and meetings with this family or that family, the underlying facts haven't changed: At this point, Speaker MCCARTHY does not have a plan for avoiding a catastrophic default on the debt.

I quoted one former Republican President, let me quote another, Ronald Reagan. Ronald Reagan said:

[Debt ceiling] brinksmanship threatens the holders of government bonds and those who rely on Social Security and veterans benefits.

And:

The United States has a special responsibility to itself and to the world to meet its obligations.

When Ronald Reagan and Donald Trump say that the Republican strategy led by Speaker MCCARTHY is folly, you know how far right the whole MAGA Republican House has gone. Things that were accepted a few years ago, by very conservative Republican Presidents—Reagan, Trump—now seem to be discarded in a headlong rush to make the kind of deep cuts that Americans will never support and to tie it to the debt ceiling, which could head us crashing into default.

The solution to this entire mess is staring Republicans right in the face: Do what we did three times under Donald Trump and twice under President Biden and work with Democrats to avoid default without brinksmanship, without blackmail, and without hostage-taking. If Republicans drop their hostage-taking and approach Democrats in good faith, the default crisis could be resolved. But if Speaker MCCARTHY does not change course, he—he—will be leading America into default of not paying our debts for the first time.

FOX NEWS

Mr. President, on FOX News, yesterday, FOX News agreed to pay nearly $800 million to end a defamation suit brought by Dominion Voting Systems after FOX spent months lying about the 2020 election. It is one of the largest settlements ever in a defamation case.

Trial or no trial, the world sees that FOX News knowingly and intentionally lied to the country about the 2020 election. The amazing thing is that FOX knew that these were lies, and they still put that propaganda on the air. And it is not just trivial lies; it is lies that go to the essence of our democracy. To think that the leaders of FOX News, Rupert Murdoch, don't give a hoot about democracy and still would put these lies on for political or mercenary purposes is just galling, appalling, and, frankly, downright against what America stands for and has stood for for hundreds of years.

FOX commentators spread conspiracy theories and passed them off as news. They spread distrust in our democracy and claimed it was a legitimate concern. So FOX News's legacy and Rupert Murdoch's legacy is forever sealed as the network that sought to undermine American democracy one prime-time segment at a time. FOX News's legacy is sealed as the network that has minuscule reward for the truth and would knowingly lie to achieve political and mercenary goals.

Even without a single witness taking the stand, what we do know about this case is shocking. Under oath, Rupert Murdoch the owners of FOX News, admitted his hosts were spreading the narrative of the Big Lie. We are not just throwing rhetoric around here; these are facts. Here is what Murdoch said: ''Maybe Sean [Hannity] and Laura [Ingraham] went too far,'' he admitted in one email. That is certainly a way to put it.

Asked if he could have stopped the lies, Mr. Murdoch admitted:

I could have . . . but I didn't.

Amazing. Amazing.

So settlement or not, there is no question that FOX News lied. Sadly, too much damage has already been done. A significant segment of voters—by some measures as much as 30 percent of the electorate—still do not believe the 2020 election was legitimate. And when people start doubting that elections are legitimate, that is the beginning of the end of a democracy. It is just galling.

Again, this is not lying about some trivial thing; this is lying that undermines the essence of what America has been all about.

And 2 years after the Presidential election, FOX News still lies about what happened in 2020. Not 2 months ago, Tucker Carlson claimed January 6 was not an insurrection, using manipulated security footage provided to him exclusively by Speaker MCCARTHY. FOX News has not shown any remorse—any remorse—for undermining our democracy and blatantly lying.

Again, Rupert Murdoch's legacy and FOX News's legacy is sealed. They will forever be remembered as the ones who sought to break American democracy from within by lying about it.

For their own sake—even more importantly, for the sake of our great country—Mr. Murdoch and FOX News leadership should put a halt to the spread of the Big Lie on their network because when enough people believe elections are not on the level, that is the beginning death knell of a democracy.

ABORTION

Mr. President, now on the abortion issue and military holds, for the last 10 months, the American people have made clear they reject the hard right's war on women. After many ballot initiatives, special elections, and one disastrous midterm for the GOP, there is no denying that the MAGA obsession with attacking women's freedom of choice has been a disaster. And yet, the more Americans reject MAGA extremism, particularly on the issue of choice, the more MAGA Republicans double down. Now, through the actions of one Senator, even military families have been taken hostage by the hard right.

We are talking about women veterans. We are talking about women who volunteer and risk their lives oftentimes for us. And now this hard-right group is telling them they don't have the right to decide what to do when it comes to their bodies and their healthcare—it is outrageous. The same people on the other side who praise our military and our soldiers are treating women as second-class citizens. That is outrageous.

It is outrageous when they do it to all women, but particularly outrageous when they do it to women veterans, women who serve because they, again, are our heroes and risk their lives for us.

And now, through the actions of one Senator, even military families have been taken hostage by the hard right. Today, the Senator from Alabama will push legislation that would take away reproductive care for hundreds of thousands of veterans and their families. It is the extreme kind of proposal millions of Americans strongly oppose and one which, if passed, would gravely harm the health of women, particularly our veterans.

Senator TUBERVILLE's legislation is bad on its own, but he has made it even worse because he continues threatening our national security by blocking over 180 military promotions. The Secretary of Defense himself and so many of our leading military figures, past and present, have warned us that this delay is dangerous to the security of America.

What is equally disappointing as the Senator from Alabama's reckless action, it is disappointing to see that more of my colleagues on the other side have not yet called out the Senator's reckless stunts. I thank those who, indeed, have raised their voice, but we need more.

Republicans who claim to be such supporters of our military all of a sudden have gone mum, silent, when the Senator from Alabama risks military security because he believes passionately in something. Every one of us could do this. No one has chosen to do it the way the Senator has.

It is a new chapter, a sad chapter. We hope it will end soon, that, whether publicly or privately, our Republican colleagues go to him and say this is just dead wrong, no matter how passionately he feels.

And why is Senator TUBERVILLE doing this? Because he wants to make the healthcare decisions for the women of our military. He wants to decide that. The military shouldn't decide it. The country shouldn't decide it. The women shouldn't decide it. He wants to make that decision. What arrogance.

He is threatening to permanently inject politics into the confirmation of routine military promotions so he can

push the MAGA hardline on blocking women's choice.

This is the MAGA hard right in a nutshell: Eliminate women's choice at all costs, even at the cost of our national defense.

I urge my colleagues sincerely, passionately, as passionately as he is, maybe even more so, to drop his hold, and I will certainly oppose this measure later today.

I yield the floor.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

ENERGY

Mr. MCCONNELL. Mr. President, we are 2 years into the latest chapter of Washington Democrats' war against our own domestic energy. America spent decades working toward affordable, reliable energy independence, and Democrats have tried to reverse it all, turned it all around: less exploration for American oil and gas, more dependence on immoral Chinese supply chains. Even as the left wants Big Government to gamble our whole grid on less reliable new technologies, they don't even want to let us mine here in America on our own soil for the rare earth minerals those technologies actually require.

The Democrats have fundamentally misunderstood both the economics and the geopolitics of American energy. So the result is going to be fewer jobs for our workers, bigger bills for our families, less security for our country, and more vulnerability to foreign actors who don't like us.

Just last week, the Biden EPA announced it will try to slap a radical and unprecedented new mandate on our country regarding electric vehicles. The same people who can't handle inflation and can't secure our border want to stick their noses into Americans' garages and our driveways. The administration's radical plan would cut down the marketplace of affordable and reliable vehicles that most Americans actually want to drive. It would massively increase demand on already highly taxed electrical grids with no workable plan to grow capacity, and it would force rich liberals' lifestyle choices onto the whole country.

Good luck—good luck farmers, ranchers, rural Americans. California wants to dictate what you drive. See, California is the proving ground for these bad ideas. They have already set their own punitive targets for electric vehicle sales, and—surprise—the math actually doesn't work. At the same time Governor Newsom is mandating his citizens buy electric vehicles, he is telling people not to plug them in—don't plug them in—for fear of blackouts.

California expects to see 15 times more electric vehicles on the roads and on their electrical grid by 2035—the same California that already had to spend last summer begging citizens to turn down their air-conditioning because their grid can barely survive as it is right now.

Democrats want less American energy, less production, and, of course, less reliability. Republicans want more, more, and more—more production, more independence, more affordability, and more security.

The House Republican majority's landmark H.R. 1 goes right at this very issue. It would be a huge shot in the arm for American energy. But here in the Senate, the Democratic leader controls the floor, and he has declared the bill ''dead on arrival''—dead on arrival here in the Senate.

It is the clearest possible contrast. Republicans are fighting for cheaper and more reliable power, stronger supply chains, and a stronger America on the world stage; and Democrats, they are actually fighting us.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

28-YEAR ANNIVERSARY OF THE OKLAHOMA CITY BOMBING

Mr. LANKFORD. Mr. President, we remember, at 9:02 a.m. on April 19, 1995, 168 people were tragically murdered in the worst act of homegrown domestic violence and terrorism in our Nation's history. That was in Oklahoma City.

The bombing of the Alfred P. Murrah Federal Building in Oklahoma City destroyed nine floors, where they collapsed in on each other. The physical impact to the building and of the bombing itself was felt 55 miles away, and the force of the blast damaged 324 surrounding buildings.

The emotional impact was felt around the world as, literally, the world stopped and stared at their televisions 28 years ago today, and the Nation felt the pain of those who were killed and of the survivors and of the family members who remained.

The victims included 19 children, many who attended the daycare in the building called America's Kids. A total of 219 children lost a parent that day, and 30 children were orphaned that day. It is estimated that 360,000 Oklahomans knew someone personally who worked in the Murrah Building.

The 16-day rescue-and-recovery effort took a toll on our first responders and our family members who held onto hope that their loved one was still alive. The events of April 19, 1995, changed my State and changed our country forever. There are incredible stories about survivors of the bombings who helped their coworkers escape the rubble and exit the building to safety.

In the midst of immense grief, we introduced what we now know as the Oklahoma Standard: the way Oklahomans immediately stepped forward to offer help, showed compassion to their neighbors in pain, donated blood, donated even their shoes that day to rescue workers and other individuals who needed help. Out of the terrible tragedy was demonstrated tremendous love.

By 3:30 p.m. on April 19, 1995, a family assistance center called the Compassion Center was set up at the First Christian Church in downtown Oklahoma City. The center was supported by the American Red Cross, hundreds of local clergy, chaplains, and mental health professionals.

Donations for victims and rescue workers poured in from fellow Oklahomans and Americans. Fourteen million dollars was donated to the Oklahoma City Disaster Relief Fund, and the Oklahoma Legislature created the Murrah Fund that pooled public and private dollars to assist victims with lost wages, grief counseling, funerals, and burial costs.

There is a lot to be said about the aftermath of the Alfred P. Murrah bombing. One notable piece that is often overlooked is the remarkable work of law enforcement that day.

See, law enforcement was called in from all over to able to assist, but one State trooper who was responding to it was actually turned around and was told to ''stay in your area. We do need to keep coverage across the State.'' So this State trooper, Charlie Hanger, stayed in his area way north of Oklahoma City on I–35.

On that day, in his normal duties that he was doing, he saw a yellow Mercury that had no license tag on it, and he pulled them over. He was just doing his job. The person he pulled over was the person who had actually committed the murders. Just a great cop doing his job.

The FBI came in from all over the country to come help. U.S. attorneys came to be able to help. Employees helped the FBI put together a drawing of the person. When they found out the truck that was actually used for the bombing was rented, they helped develop this, as the FBI worked, and they figured out that the person Charlie Hanger had pulled over was actually the person they were looking for at the same time and were able to speedily make an arrest.

My city and my State are very grateful to the FBI for the work they did that day, local law enforcement, U.S. attorneys, first responders, everyday Oklahomans who literally ran toward that moment, some staying literally for weeks and months going through the debris. You can't imagine the pain and the difficulty of digging through rubble and identifying people. What those first responders did and what those individuals who stayed on the pile did will never be forgotten by our State.

One resounding message from the survivors of the Oklahoma City bombing is that life can be forever altered in a single moment. Oklahomans who lost their lives that day simply woke up,

went to work, dropped off their child at America's Kids daycare, thinking they would all come home that night.

There is a lot we can learn from those events. It reminds us that time with our family and loved ones is precious and should never be taken for granted. But we should also remember that the Oklahoma City bombing was driven by anti-American hatred. Single individuals with misguided government beliefs and hatred for people in government literally drove a truck bomb in front of a building full of people serving their Nation that day in a Federal building and chose to kill them just because of their hatred for government.

We can never allow our Nation to rise up with that kind of anger and hatred against fellow Americans. We are a nation that has disagreements, and we solve those by talking to each other as fellow Americans.

The Oklahoma City bombing memorial museum, which sits next to the memorial itself, continues to tell the story every single day, as they are today, of what it means to be able to have one person talking to another person to solve our problems and to work out our differences.

On the 28th anniversary of the Oklahoma City bombing, we still feel the sharp pain and loss in Oklahoma. While some in the Nation look back on it and think that was a long time ago, we remember.

We thank the first responders and the law enforcement officers for their invaluable service. We remember the lives of the victims lost, and we continue to pray for their families and for the survivors who are still gathering together just to check on each other as families. Most importantly, we will continue to tell the story of what happens when rage and hatred for fellow Americans spill over into the destruction of life. We remember.

And I would ask this body to do what we are doing in Oklahoma City today. We are pausing for 168 seconds to remember the 168 victims whom we lost that day. So would this body pause with me for 168 seconds?

(Moment of silence.)

Today, we honor those who were killed, those who survived, and those who were changed forever.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Connecticut.

GUN VIOLENCE

Mr. MURPHY. Mr. President, late on the night of November 2, 2012, Theodore Wafer was woken up by a loud sound. Somebody was knocking on his door—pounding on his door. He looked for his phone to call the police but couldn't find it. So, instead, he picked up his shotgun and went to the door. He saw on the other side a figure. He thought the person, maybe, was trying to break into his house, and so he fired a shotgun blast through the screen door to his porch.

A couple of hours before that, Renisha McBride had gotten into a car accident not far away from Theodore Wafer's house. She was intoxicated. She was disoriented after the crash. She wandered around the neighborhood, late at night, looking for help. She couldn't find any, and she found herself knocking on the door of Mr. Wafer's home, looking for assistance. The shotgun blast hit her in the face, and she died.

Jordan Davis was in Jacksonville, FL, a teenager out with his friends. They pulled into a gas station. As a lot of teenagers do, they were playing loud music. Michael Dunn was at the gas station as well. He didn't like the fact that the teenagers were playing their music too loud. He asked them to turn it down. There was an argument that took place. Michael Dunn said: I am not going to let anybody talk to me like that. And he pulled a handgun out of the glove compartment of his car, and he started shooting at Jordan Davis and his friends. Jordan Davis died as his friends sped away, trying to get away from the killing scene. Michael Dunn continued to shoot at the fleeing car.

His girlfriend came out of the convenience store. She didn't know what had happened. Michael Dunn didn't tell her. They went to the hotel they were staying in, and they ordered a pizza. That happened 1 year before the death of Renisha McBride.

This week, this country is convulsed by a series of horrific shootings where mistakes and minor slights are being met by gunfire. You know these stories by now. Ralph Yarl, 16 years old, went to go pick up his siblings, went to the wrong house, and Andrew Lester fired at him. Ralph Yarl is now clinging for life right now.

Kaylin Gillis, 20 years old, and her friend pulled into the wrong driveway—just pulled into the wrong driveway—and Kevin Monahan fired his gun at them, killing Kaylin Gillis.

And, just this morning, we are hearing news of another stunningly similar incident in Austin, TX, where a cheerleader, by accident, got into the wrong car after cheerleading practice and apparently that slight was so serious that the man in the car fired a gun at this cheerleader and her friend. One of those young women is critically injured.

My friends, there is a toxic mixture in this country today of hate, of anger, and a population that is increasingly armed to the teeth with deadly weapons, many of them with no training, many of them with criminal records. This mixture is leading to our neighborhoods becoming a killing field. Minor slights and indiscretions, small arguments, even simple wrong turns are becoming potentially deadly.

We are becoming a heavily armed nation, so fearful and angry and hair-trigger anxious that gun murders are now just the way in which we work out our frustrations.

This is a dystopia. I am here to tell you that it is a dystopia that we have chosen for ourselves.

And before I challenge my colleagues to do better, I just want to tell you a quick short story of how we got here, because this combination of anger and fear and guns is actually not new. It is worse now. Our rage is bigger. The number of guns on the street today is dizzying compared to just a few decades ago. But I have to be honest with you. The underlying problem of this combination is actually not new.

In our early years, after our founding, America actually wasn't a fundamentally more violent place than our European neighbors. But a few things happened, about 50 years into the American story, that set America on a very different course—a course that, beginning in about 1840, made America an outlier of global violence, and we have never come back down to Earth.

I think it is just interesting to sort of talk for a minute about those three things because they are relevant to today's discussion.

First is the creation of America as a true melting pot. Waves of immigrants came to America beginning in the early to mid-1800s, looking for jobs and living space and partners. The competition amongst those groups, combined with demagogues and provocateurs who would pry on this friction, became explosive. People began to think that they needed to be suspicious of people who were different from them—a different race or ethnicity or religion. And, over time, if you look at American history, it is when these big waves of new immigration come to this country that we tend to have spikes in violence because those demagogues or those provocateurs tell us that we should be fearful of each other, and, all of a sudden, violence increases.

The second thing that happens in that period of time is the invention of the cotton gin. Why is that important? America was a slave nation at our founding. In 1800, we only had about 850,000 slaves. The cotton gin explodes the need for slaves. In 40 years, we go from 850,000 slaves to 2.4 million slaves, and the amount of violence that is necessary to keep that number of people in bondage is extraordinary. And the country—you can imagine this—just becomes anesthetized to violence. So, all of a sudden, violence rates go up amongst all Americans—not just White-on-Black violence, but White-on-White violence goes up, because violence is part of how we keep our economy running.

Then, third, in the same period of time, the early to mid-1800s, we see the invention of the modern mass-produced handgun. The cotton gin is a Connecticut invention, and so is the modern mass-produced handgun.

Now, other nations figured out how dangerous this was—the ability to slip into your coat pocket the means of lethal violence. Other nations decided to regulate the access that their citizens had to this instrument, but not in the United States.

So, quickly, shortly after the explosion of access to the handgun, violence rates began to increase. And given this history I talked about prior—our history of racial and ethnic violence—the decision not to regulate handgun access in any meaningful form was kind of like throwing gasoline on this raging fire.

I am saying all of this because we have known for 200 years that this combination of violence between ethnic groups, violence as a means of subjugation, all supercharged by unlimited access to guns, is a uniquely American problem.

Throughout our history—and this is the most important part—we have assiduously and purposefully, as a nation, tried to turn the dials of laws and norms and customs to have less hatred; to have less animosity toward each other; to have less oppression and less access to guns, at least for people who shouldn't have them.

It is not a coincidence that the rates of violence in this Nation spike when we have waves of new immigrants, but then it settles out; it flattens. It often decreases as time goes on, and we learn how to live with each other. We change our norms and our customs. It is also not a coincidence that the biggest drops in lethal violence in this country tend to happen right after we make major adjustments to our Nation's firearms laws.

What I am saying is that America is definitely set up to be a place more violent than other nations. We shouldn't expect that we are going to, with any set of changes, become as violent as European or Asian countries.

But it doesn't have to be like this. Cheerleaders don't need to be shot when they walk into the wrong car. Teenagers don't need to be murdered because their music is too loud. Kids shouldn't fear for their life when they go to school or when they pick up their siblings from a house in the neighborhood. We can do better. We can adjust the dials in order to decide not to live in this dystopia.

Everybody here knows what I feel about American gun laws. I am not going to litigate that question again here today. I think we can do better. I think we can just make it a little bit harder for irresponsible people, people with criminal records, people with serious mental illness to get their hands on deadly weapons.

I want universal background checks. I want bans on the weapons that were designed for the military. But we also need to have a more apolitical discussion about the level of fear and hatred and mistrust in our society today that puts so many people on the edge, ready to fire a gun at somebody over the smallest threat or insult. There is just a collective anxiety in this country that we need to deal with and, frankly, doesn't require us to have debates that fall on easy political or partisan lines.

Everybody in this body has an obligation to take steps so that today's demagogues and provocateurs—the same ones that convinced people in the 1840s that they should be fearful of new immigrants—have less air time and less influence. We shouldn't elevate political leaders who lead with messages of hate and division. That is part of what is driving America to fear everybody, to fear their neighbors.

But we should also pass laws that incentivize our national dialogue to just be kinder and less hateful. Social media companies are making money off of hate and polarization, and we don't need to accept this. Holding them accountable for the ways that they have pit us against each other, that is not an impossible task and, frankly, not one we necessarily need to fight about along partisan lines.

I will leave you with this. We also just need to ask some deeper questions about why people in America are just so unhappy and so alone that they would resort to violence this regularly and this casually.

A detective in Bridgeport, CT, told me the other day he barely ever responds to fistfights any longer. Everything, every beef ends up in gunfire.

We have lost so many pathways in this country to positive meaning and positive identity and fulfilling connection to each other. People have less opportunity today to build healthy, economically secure, and personally fulfilling lives. We need to talk about why this is and what government can do to spiritually jump-start this Nation. It is not all about the gun laws. I think the gun laws should change, but there is also an anxiety of fearfulness in this Nation that we can have a collective conversation about.

I get it. It is a big, huge, weighty conversation, but something stinks out there right now. We shouldn't accept this shoot-first culture—at kids, at cheerleaders, at students, at people shopping at grocery stores—as our new reality. It is a choice.

America has always been a more violent place. That is true. But the degree of that violence has always been up to us. We have always had dials that we can turn. We should realize this, and we should do something about it.

I yield the floor.

The PRESIDING OFFICER (Mr. HICKENLOOPER). The Republican whip.

TIKTOK

Mr. THUNE. Mr. President, there has been a lot of discussion lately, here in Congress, about the national security concerns posed by TikTok, whose parent company is Chinese-owned ByteDance.

Chinese law requires social media technology companies to provide information, including individually identifiable personal information, to the Chinese Government, when asked.

This obviously has implications for Americans' personal security and privacy and raises troubling questions about how the Chinese Communist Party could use TikTok for its own ends, whether that is using personal data to develop sources for espionage or manipulating content to advance the Communist Party's agenda. The Director of the CIA, the FBI Director, and the Director of National Intelligence have all outlined national security concerns with TikTok, and Members of Congress are currently discussing various ways of addressing these concerns.

In March, Senator MARK WARNER, chairman of the Senate Intelligence Committee, and I introduced bipartisan legislation called the Restricting the Emergence of Security Threats that Risk Information and Communications Technology Act—or the RESTRICT Act, the acronym—to address the national security concerns posed not just by TikTok but by other technologies from foreign adversary countries.

I am pleased that our bill, which is cosponsored by a full quarter of the U.S. Senate, has received a lot of attention in the media, attention that I hope will ensure our legislation receives a full hearing in the Commerce Committee and a vote on the Senate floor, but along with the attention our bill has received has come a lot of misrepresentation about the bill's content. And I want to take just a moment today to set the record straight on some misconceptions about the RESTRICT Act.

First of all, many critics of the bill seem to be unaware of the fact that the bill is closely modeled after a 2019 Executive order by President Trump as well as a subsequent rule by the Trump Commerce Department. So I wanted to underscore that the RESTRICT Act seeks to codify a policy that was put in place by President Trump. Unlike some of the other TikTok bills out there, our bill is not exclusively focused on TikTok and would instead create a framework for reviewing not only TikTok but any technology from a foreign adversary nation that poses an undue national security risk.

This has led to some claims that our bill is too broad or gives the Federal Government too much power, but nothing could be further from the truth.

Our bill is, in fact, narrowly tailored, and it is designed not to expand the Federal Government's power but to update authorities the Federal Government already has to account for the digital age.

Both Democrat and Republican administrations have taken Executive action to counter the threat posed by technology from foreign adversary countries, but they have been limited by the fact that current law was written before the age of the internet and is not always easily applied to digital threats.

Our legislation, which, again, codifies an Executive order issued by President Trump as well as a subsequent rule by the Trump Commerce Department, would fill in the gaps in current law and ensure that it is possible to address not just traditional risks from foreign-owned companies but the specific

threats posed by foreign-owned digital technology.

I imagine some claims that our bill is too broad have arisen because our bill is not limited to TikTok, but there is a reason for that. First, there is reason to believe that legislation targeted solely at TikTok would be overturned by the courts because of the Constitution's prohibition on bills of attainder. Second, our bill would apply a way to address more than just TikTok because this is not the first time technology from a hostile nation has posed a serious national security concern, and it probably won't be the last.

Before there was TikTok, we had to engage in a protracted effort to remove technology from Chinese companies Huawei and ZTE from our telecommunications networks—after U.S. security officials raised concerns that much of Huawei and ZTE's equipment was built with backdoors, giving the Chinese Communist Party access to global communications networks.

And before Huawei and ZTE, there was Russia's Kaspersky, which threatened the security of government-owned digital devices, and that is just looking backward in time.

Looking forward, we are also confronting risky platforms like WeChat, a Chinese app that has 19 million users in the United States. By many accounts, WeChat is even worse than TikTok in terms of the Chinese Communist Party being able to steal data, censor information, and propagandize Americans.

No other bipartisan bill introduced in Congress does anything to address the risks posed by this platform or other dangerous apps or technologies. Only the RESTRICT Act contains the necessary authorities for the Federal Government to do something about not only TikTok but other technologies that present a potential national security risk.

Instead of trying to play catchup and find a way to individually address each threat after it emerges, as has happened in the past, we need a process in place to provide for an orderly and transparent review of technologies from foreign adversary countries, and that is what our bill would provide.

Under our bill, the Department of Commerce, in both Republican and Democrat administrations, would review any information and communications technology product from a foreign adversary company that is deemed to present a potential security threat, with an emphasis on products used in critical telecommunications infrastructure or with serious national security implications.

And the Secretary of Commerce would be required to develop a range of measures to mitigate the danger posed by these products, up to and including a ban on the product in question.

Importantly, our bill would ensure transparency by requiring the Commerce Secretary to coordinate with the Director of National Intelligence to provide declassified information on why any measure against technology products from foreign adversary countries were taken.

I have mentioned that our bill is narrowly tailored. That is true about the process created by the bill, which is designed not to expand government but to fill a hole in current law. But it is true about the countries whose technology is targeted for review by this bill.

The RESTRICT Act would provide for the review of technology from just six foreign adversary countries: China, Russia, North Korea, Iran, Venezuela, and Cuba. The Secretary of Commerce would be allowed to add countries to this list if it became necessary, but Congress would have the authority to reject any addition.

And contrary to claims that the act would exclude judicial review, the RESTRICT Act specifically provides that any challenges to the act be considered at the U.S. Court of Appeals for the District of Columbia Circuit.

Other charges that have been leveled against the RESTRICT Act are about the impact the bill would supposedly have on individual Americans. Opponents of the bill have suggested that the RESTRICT Act would somehow infringe on Americans' First Amendment rights or target individual Americans. Again, nothing could be further from the truth.

The RESTRICT Act would do nothing—nothing—to restrict the content Americans can post online. Now, let me just repeat that because this is very important: The RESTRICT Act would do nothing to restrict the content Americans can post online.

If the RESTRICT Act becomes law, Americans will be free to post exactly the same online content that they are posting right now. Nothing in the bill would in any way censor what Americans can put on the internet. And the bill would not allow the Federal Government to surveil Americans' online content or give the government authority to access any American's personal communications device.

Nor would the bill target individual Americans in any way. No individual user would be prosecuted for using something like a private VPN network to get around a potential ban on an entity like TikTok. This legislation would simply allow for the possibility of banning certain technologies from foreign adversary countries that pose a threat to national security.

And the only entities that would possibly be subject to prosecution under this legislation would be companies that deliberately violated a prohibition on technologies that had been determined to be dangerous enough to trigger a ban.

The digital age has provided us with enormous benefits, but inevitably it has also come with its own unique risks and threats—not least the risk of a hostile foreign government exploiting communications technology for nefarious purposes.

And those threats increase substantially when we are talking about technology produced by companies in hostile nations and affiliated with hostile governments.

We need a process to address those threats, a narrowly targeted way to mitigate the dangers of digital technologies from foreign adversary countries while protecting the rights and liberties of American citizens.

That is exactly what the RESTRICT Act would provide. I am proud of the legislation that we have developed, and I look forward to working with colleagues of both parties to further improve this legislation and advance it here in the U.S. Senate.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I am here to talk about the Fire Grants and Safety Act.

I do appreciate the words of my colleague. It was good to hear his concerns, and I think we all share concerns about Americans being spied on and their data.

I also note that as we look at dealing with platforms and social media and the like at the same time we pursue this, we must pursue the bills that have been out there for well over a year now and passed through the Judiciary Committee last year and will do so again. And those are bills related to monopoly power; bills related to the incredible imbalance in power with two of the platforms, Google and Facebook, when it comes to dealing with small newspapers and radio stations and TV and their content, a bill that was nearly passed at the end of last year; another bill that Senator GRASSLEY and I have that speaks to the fact that other countries in the world are now putting forth regulations and rules about self-preferencing and the unfairness to our small businesses; and then, of course, other bills, some of which are in the Commerce Committee, on privacy and children's issues and the like.

All of these bills must be considered on this floor because, as noted by my colleague, we have not passed any rules when it comes to not only the issues he was addressing but also when it comes to a competition tech policy since the advent of the internet.

I think we know a lot more than we knew when Facebook was in a garage. We know a lot more, and it is time for us to get up to speed and to actually pass some rules and stop talking about it.

S. 870

So I rise today in support of the Fire Grants and Safety Act. I would like to thank Senators PETERS, COLLINS, CARPER, and MURKOWSKI for their leadership. Our communities are strongest and safest when local fire departments have the funding that they need to hire firefighters and pay for equipment.

We all know that firefighters do lifesaving work. They are there for us during house fires, car crashes, medical

emergencies, and so much more, and I am committed to being there for them.

Over the past several months, I have visited fire halls across my State. I have heard from local departments in both cities and rural communities about how important the Assistance for Firefighters Grant and the SAFER Grant Programs are to them.

That is why we must pass the bipartisan Fire Grants and Safety Act to ensure that we continue providing Federal funding for these critical programs.

Local fire departments in Minnesota and across the country rely on these programs to invest in training and purchasing critically needed equipment. I have seen some of these firetrucks in small communities, like in Houston, MN, firetrucks that are outdated, things that need to be changed. Fires burn just as strong and are just as dangerous in small rural communities as they are in a big city. Yet they don't have the equipment that some of the larger communities have.

We also must support fire departments' efforts to hire and retain trained firefighters so they can keep our communities safe. Because of a SAFER grant, for instance, the Minneapolis Fire Department was able to hire 15 additional firefighters, which means an additional 5 firefighters on every shift, and it helped the department to reduce reliance on overtime shifts, which in the end saves money.

Thanks to another of these grants, Bloomington, MN—the home of the Mall of America for those listening today who are looking for a great place to visit—which has been facing a serious shortage of staff in the fire department there, was able to add 18 full-time firefighters and will now have firetrucks available 24 hours a day. That is one of the biggest cities in my State.

As a result of an assistance for firefighters grant, the Duluth Fire Department sent 40 firefighters to a training program to reduce emergency response time and increase safety for firefighters. And let me tell you, in Duluth, they don't just fight fires; they have people stranded on icefloes in the middle of Lake Superior.

They have all kinds of disasters that maybe some of our warmer States do not experience that they must respond to each and every day, including how to get to fire hydrants when they are surrounded by six feet of snow. In the town of Proctor, which has a population of just over 3,100, because of one of these grants, the local fire department there was able to purchase 20 air packs, including five with thermal imaging cameras, and get a new set of cutting-edge rescue tools. I think many of my colleagues have similar stories about how important these resources are to fire departments.

One of the things that I learned in my last few years of visiting with our firefighters and chiefs is that, in fact, one of the major problems facing them is not always discussed. And that is similar to what so many of our veterans have faced when they were stationed next to burn pits, and that is what is happening with a number of our firefighters getting cancer and, sadly, perishing from cancer at very young ages.

Cancer is the leading cause of death among firefighters. Firefighters can be exposed to hundreds of potential carcinogens when responding to fires. It is only right that we treat cancer caused by on-the-job exposure the same way we treat other physical injuries.

Two solutions here: One is, with these fire grants, helping, especially, smaller departments that didn't have them to get up-to-date washing machines, up-to-date dryers that do a much better job and quicker job in terms of cleaning off this equipment, because the stuff that is burning in these buildings—just as what has happened with our veterans—that wasn't being burnt 20, 30, 50, 100 years ago. We know that is what part of the problem is.

The second is to make sure we take care of them, not just in our words as well as speaking from the Senate floor, but in what we actually do to have the backs of their families. To truly do right by our firefighters, we have to look out for those who tragically get cancer as a result of their service. That is why Senator KEVIN CRAMER of North Dakota and I have joined forces and introduced a bill to do just that. This, for me, goes back to 2018, when I championed the bill to create a national firefighter cancer registry, along with Senator MENENDEZ and others.

Senator CRAMER's and my bill is called Honoring Our Fallen Heroes Act, and it would make sure that firefighters who become disabled or die from cancer as a result of their service get the benefits that they deserve.

We must make sure that our firefighters have everything they need to do their job. It is the least we can do for our heroes who sacrifice so much to keep us safe.

I am excited to support this bill, and I see Senator PETERS is here and has been such a great leader on this issue.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. PAUL. Mr. President, I ask unanimous consent to speak for up to 10 minutes prior to the scheduled rollcall vote on my amendment No. 79.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

AMENDMENT NO. 79

Mr. PAUL. Firefighting and emergency medical services are some of the most important and most inherently local services that people rely on. The men and women who show up when the call for help goes out are everyday heroes in communities across America.

City governments have predominantly decided to provide fire services at taxpayer expense with local taxes, while in rural areas, volunteer fire departments are still prevalent. Many localities have decided to provide medical services as well. Although hospitals still are the primary EMS providers in a lot of locations, private companies are playing an increasing role in this space as well. But no matter who provides the services—government employees, volunteers, or private entities, these are local needs best met by local providers and best paid for with local taxes.

For the first 225 years of our country's history, this is just what happened, until 2000, when the Federal Government had its first budget surplus in almost 50 years—a surplus that disappeared the very next year, by the way. Congress, in the year 2000, decided to spend a bit of that surplus to create a new subsidy for local firefighters.

This first year, the program was authorized at a total of $110 million for government and volunteer fire departments; however, the bill before us today now authorizes $2.3 billion per year for these subsidies. That's right, in the 30 years for this program, Federal subsidies for these important, but inherently local, programs have increased 18-fold.

In that same time, our government has gone from an annual surplus of about $86 billion to perpetual deficits of over $1 trillion a year. The national debt has grown from less than $6 trillion to over $32 trillion.

Despite the reality of our fiscal condition, this bill makes no reforms. It doesn't limit the grants to departments that can't raise money on their own. It doesn't ask local governments to invest more of their own funds. The only thing this bill accomplishes, really, is to increase spending by 25 percent.

The unsustainable increases in spending with no attempt to rein-in future costs or make offsetting cuts elsewhere in the budget is concerning. I am glad to see we have an amendment, though, to pay for the bill by reallocating unspent COVID funds that are still in existence and haven't already been allocated and could be used for this program. So we will have an amendment to pay for this program. We will see if anyone on the other side is actually interested in paying for a program.

The other major problem with this bill is it rewards governments—local governments that chose to trample on the freedom of firefighters and medics to speak their own minds and make their own medical decisions. One purpose of the grant in this bill is to increase staffing for fire departments. Over the last few years, even as these grants were awarded, firefighters around the country found themselves with a choice: submit to COVID vaccine mandates or lose your livelihood.

This was no idle threat. In New York, L.A., and Seattle, among other places, firefighters lost their jobs simply because they insisted upon living according to their own conscience.

One of those firefighters who was terminated is Joseph Kimball, who served in Salt River, AZ, and has six children. His wife is a stay-at-home mom, but this didn't stop local officials from firing him for not getting a COVID vaccine.

It seems bizarre and contradictory to provide financial support to increase fire department staffing to departments that are firing people for not being vaccinated—firefighters that were trained and effective and there was no good reason to fire them, particularly when we had shortages of firefighters as reported throughout the country.

Firefighters tend to be young and fit. They are the very people who have the least to worry about with COVID–19. They also tend to be male, and young males are the group most likely to suffer the vaccine-related injury of myocarditis. Firemen and EMTs who chose not to be vaccinated were never a threat to anyone, never a threat to their communities. On the contrary, these firefighters served their communities bravely and made their neighbors safe. They served throughout an entire year when there was no vaccine. Many of these firefighters contracted COVID and have naturally acquired immunity.

What was being done to them? What was done to them through firing them for making their own medical decisions, what was done to the police and to doctors and to nurses, what was done to first responders was shameful. And we should stand together to make sure it never happens again.

To that end, I offer an amendment that will restore sanity and compassion to this government program. My amendment would make grants provided for by this bill unavailable to fire departments that dismissed firefighters for not getting a vaccine. This would bring some sense of justice to this program. And fire departments would only be eligible for these grants if they reinstated the firefighters. So this amendment would actually serve to allow some of the firefighters that were unfairly dismissed to get their jobs back.

It turns out—and we all know this now—the vaccine didn't protect anybody from getting infected. It showed some efficacy of increasing your immunity to resist infection, but there was never any medical reason to mandate people to be vaccinated. And no one ever offered to these firefighters: Well, you can be tested. If you have had COVID and we know you have immunity, you don't have to be vaccinated. There was never any alternatives. Many of them weren't even given religious or philosophical or medical alternatives to being forced to be vaccinated.

So if you want to support firefighters, if you want to support your communities, if you want to support safety, you should support my amendment that says that fire departments are eligible only if they reinstate the firefighters they unfairly dismissed.

Mr. President, I call up my amendment No. 79 and ask that it be reported by number.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. PAUL] proposes an amendment numbered 79.

The amendment is as follows:

(Purpose: To improve the bill)

At the appropriate place, insert the following:

SEC. ___. PROHIBITION ON AWARD OF FEDERAL FUNDS.

(a) IN GENERAL.—A fire service shall be ineligible to receive any Federal funds made available under this Act and the amendments made by this Act if the fire service dismissed or discharged from employment any individual based solely on—

(1) the failure of the individual to obey an order to receive a vaccine for COVID–19; or

(2) the exercise by the individual of any rights protected under the First Amendment to the Constitution of the United States to speak against the implementation of any mandate to receive a vaccine for COVID–19.

(b) EXCEPTION.—The prohibition in subsection (a) shall not apply if the fire service has offered reinstatement to all individuals dismissed or discharged based solely on a reason described in paragraph (1) or (2) of that subsection to the position and rank held by the individual on the date of the dismissal or discharge with full back pay calculated from the date of the dismissal or discharge.

(c) FIRE SERVICE DEFINED.—The term ''fire service'' has the meaning given that term in section 4 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2203).

The PRESIDING OFFICER. The Senator from Michigan.

Mr. PETERS. Mr. President, firefighters are on the front lines of safeguarding our communities, often providing emergency care and interacting with high-risk populations. Firefighters themselves may also be at risk of COVID–19 infections. Vaccines are the safest and most effective way to make sure an individual doesn't get severely ill or spread COVID–19 to others.

This amendment would interfere with State and local governments' ability to determine health policies for their own employees and how to best keep their communities safe. This amendment would also require FEMA to evaluate local and State government vaccination policies—something well beyond the scope and responsibility to determine eligibility for grants.

I would urge my colleagues to oppose the amendment to ensure that local communities can continue counting on these resources that these programs provide.

Mr. PAUL. Mr. President.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. PAUL. There is a longstanding tradition in our country when we dispense Federal money to localities to have rules. We don't let you discriminate based on your sex or race or ethnicity. We also should not let localities discriminate against people who refuse to be vaccinated, particularly people who have already had COVID.

There is no science behind saying you need to be vaccinated if you already had it. In fact, the studies show this: They show that if had you had the disease you are 57 times less likely to contract it again, whereas the vaccine makes you about 19 times less. So infection does work and it should be part of the criteria, and we should restrict funds to any agency that fired people unfairly for not getting a vaccine.

VOTE ON AMENDMENT NO. 79

The PRESIDING OFFICER. The question is on agreeing to the amendment.

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

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN, is necessarily absent.

The result was announced—yeas 45, nays 54, as follows:

[Rollcall Vote No. 88 Leg.]

YEAS—45

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

NAYS—54

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

NOT VOTING—1

Feinstein

The PRESIDING OFFICER. On this vote, the yeas are 45 and the nays are 54.

The amendment (No. 79) is rejected.

The Senator from Tennessee.

AMENDMENT NO. 72, AS MODIFIED

Mr. HAGERTY. Mr. President, I call up my amendment No. 72, as modified, and ask that it be reported by number.

The senior assistant legislative clerk read as follows:

The Senator from Tennessee [Mr. HAGERTY] proposes an amendment numbered 72, as modified.

The amendment is as follows:

(Purpose: To improve the bill)

At the appropriate place, insert the following:

SEC. _____. EMERGENCY FOOD AND SHELTER PROGRAM REORGANIZATION.

(a) EMERGENCY FOOD AND SHELTER PROGRAM NATIONAL BOARD.—

(1) IN GENERAL.—Section 301 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11331) is amended—

(A) by striking subsection (b) and inserting the following:

''(b) MEMBERS.—

''(1) IN GENERAL.—The National Board shall consist of—

''(A) the Director;

''(B) 2 members appointed by the Director in accordance with paragraph (2);

''(C) 1 member appointed by the Secretary of Homeland Security;

''(D) 1 member appointed by the Secretary of Housing and Urban Development;

''(E) 1 member appointed by the Secretary of Agriculture; and

''(F) 1 member appointed by the Director of the Office of Management and Budget.

''(2) APPLICATION FOR MEMBERSHIP.—

''(A) IN GENERAL.—In appointing the members described in paragraph (1)(B), the Director shall select from applications of individuals seeking to serve as a member on the National Board.

''(B) CRITERIA.—In selecting applications of individuals under subparagraph (A), the Director shall select the 2 most qualified individuals who—

''(i) have not less than 10 years of experience working on public policy relating to housing and homelessness; and

''(ii) are not from the same geographic region of the United States.

''(3) CONFLICTS OF INTEREST.—An individual may not serve as a member of the National Board if, during the 5-year period preceding the first day of service on the National Board, the individual was an employee of an organization, or an affiliate of an organization, that, during the preceding 5 fiscal years, received funding under this title.

''(4) REVOLVING DOOR.—During the 2-year period following the final day of service of an individual as a member of the National Board, the individual may not serve as an employee of an organization, or an affiliate of an organization, that, during a fiscal year during which the individual served as a member of the National Board, received funding under this title.

''(5) TERM LIMIT.—An individual may not serve as a member of the National Board for a period of more than 2 years.''; and

(B) by striking subsection (e).

(2) CURRENT NATIONAL BOARD MEMBERS.—With respect to an individual serving as a member of the Emergency Food and Shelter Program National Board established under section 301 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11331) as of the date of enactment of this Act, for the purpose of section 301(b) of the McKinney-Vento Homeless Assistance Act of that Act, as amended by this Act, the individual shall be deemed to have begun service on the Board on the date of enactment of this Act.

(b) LOCAL BOARDS.—Section 302 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11332) is amended by striking subsection (a) and inserting the following:

''(a) ESTABLISHMENT.—

''(1) IN GENERAL.—Each locality designated by the National Board shall constitute a local board for the purpose of determining how program funds allotted to the locality will be distributed. The local board shall consist, to the extent practicable, of—

''(A) agencies of State and local governments that serve functions similar to the functions of the Department of Homeland Security, the Department of Housing and Urban Development, the Department of Agriculture, and the Office of Management and Budget;

''(B) the mayor or other appropriate heads of government; and

''(C) representatives of nonprofit organizations that aid individuals and families who are experiencing, or are at risk of experiencing, hunger or homelessness.

''(2) PROGRAM FUNDS FOR RESERVATIONS.—Each local board administering program funds for a locality within which is located a reservation (as such term is defined in section 3 of the Indian Financing Act of 1974 (25 U.S.C. 1452), or a portion thereof, shall include a board member who is a member of an Indian tribe (as such term is defined in section 102(a) of the Housing and Community Development Act of 1974 (42 U.S.C. 5302(a)). The chairperson of the local board shall be elected by a majority of the members of the local board. Local boards are encouraged to expand participation of other private nonprofit organizations on the local board.''.

The PRESIDING OFFICER. There are now 2 minutes of debate, equally divided.

Mr. HAGERTY. Mr. President, in the last fiscal year alone, appropriations to FEMA's Emergency Food and Shelter Program have increased by more than 5 times, totaling approximately $1 billion in the last 2 years alone. Currently, hundreds of millions of taxpayer dollars appropriated to this program are doled out annually by a national board comprised of the very same organizations that receive those funds. This amendment in no way impugns the integrity of the organizations involved. Rather, it helps them avoid the reputational risks that can occur when the pitcher is also the umpire.

My amendment is simple and common sense. It will restructure the Emergency Food and Shelter Program to ensure that the individuals sitting on that board do not have this obvious conflict of interest. Instead, the national board composition would be shifted to include qualified individuals who do not work for the organizations that seek funding from the board.

At a minimum, Congress must resolve this blatant conflict of interest within the Emergency Food and Shelter Program, especially given its dramatic increase in funding in recent years. That is what this amendment does.

I yield back.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. PETERS. Mr. President, this amendment is intended to make changes to an entirely unrelated program that is completely outside of the scope of this bill. The Emergency Food and Shelter Program is an important resource that provides aid to those who are at risk of experiencing hunger. And any changes certainly must be thoroughly considered. And I look forward to having an opportunity to work with a sponsor on this amendment in some other manner. However, the bill before us extends programs that firefighters are counting on to purchase lifesaving equipment or receive important cancer screenings. We should not jeopardize the enactment of this incredibly important bill by putting in completely unrelated matters.

I urge my colleagues to oppose the amendment.

VOTE ON AMENDMENT NO. 72, AS MODIFIED

The PRESIDING OFFICER. Time has expired.

The question is on agreeing to the amendment.

Mr. HAGERTY. 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 senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) is necessarily absent.

The result was announced—yeas 45, nays 54, as follows:

[Rollcall Vote No. 89 Leg.]

YEAS—45

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

NAYS—54

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

NOT VOTING—1

Feinstein

The PRESIDING OFFICER (Mr. LUJÁN). On this vote, the yeas are 45, the nays are 54.

Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is not agreed to.

The amendment (No. 72) was rejected.

The PRESIDING OFFICER. The Senator from Alabama.

PROVIDING FOR CONGRESSIONAL DISAPPROVAL UNDER CHAPTER 8 OF TITLE 5, UNITED STATES CODE, OF THE RULE SUBMITTED BY THE DEPARTMENT OF VETERANS AFFAIRS RELATING TO ''REPRODUCTIVE HEALTH SERVICES''—MOTION TO PROCEED

Mr. TUBERVILLE. Mr. President, I move to proceed to Calendar No. 35, S.J. Res. 10.

The PRESIDING OFFICER. The clerk will report the joint resolution.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 35, S.J. Res. 10, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Veterans Affairs relating to ''Reproductive Health Services''.

The PRESIDING OFFICER. Under the previous order, the time until 4:15 p.m. will be equally divided between the two leaders or their designees.

The Senator from Delaware.

RECYCLING

Mr. CARPER. Mr. President, happy Earth Week.

I rise today, along with a couple of my colleagues—one from West Virginia and another from Arkansas—to speak on the Recycling Infrastructure and Accessibility Act of 2023 and on the Recycling and Composting Accountability Act, which is bipartisan legislation that would improve our Nation's recycling and composting systems.

As a number of our colleagues know, my wife and I are both avid recyclers and composters and have been for some time. I have long believed in environmental stewardship. That is the way my parents raised my sister and me, and I suspect it is the way a lot of parents of Members of this body raised their sons and daughters. They raised us to leave behind a cleaner, healthier planet for future generations, and that is a belief I know is shared not just by elected officials here in Washington but by many people across this country.

I am also a strong believer that bipartisan solutions are lasting solutions. Whenever possible, we ought to work to find common ground and put forward bipartisan solutions that can stand the test of time. To that end, I am pleased to have found great partners—not just good partners but great partners—in developing these bipartisan recycling bills: Senator CAPITO, our ranking member on the Environment and Public Works Committee, with whom I am privileged to serve and to chair, along with Senator JOHN BOOZMAN, cochair of the Senate's Recycling Caucus, our colleague from Arkansas. All three of us recognize that we have to do our part to continue to improve our Nation's recycling and composting efforts. In doing so, it not only benefits our environment but also creates economic opportunity and jobs—a lot of jobs.

The legislation we are here to discuss today would address several of the challenges that America's recycling efforts currently face and what we might do about them. One of these challenges is the availability of good data.

In November of 2021, with input from many stakeholders, the Environmental Protection Agency released its first-ever national recycling strategy. When that strategy was released, I was delighted to learn that many of the comments I had submitted to the EPA on behalf of our committee had been incorporated into the final version. It was a happy day when we learned that. This document offered a transformative vision for strengthening our Nation's waste management efforts. It also highlighted the need for greater standardization around data collection.

To address this challenge around data collection, Senator BOOZMAN and I, along with our staffs, developed the Recycling and Composting Accountability Act. Our bill would improve the EPA's ability to gather data on our Nation's recycling systems and explore opportunities for implementing a national composting strategy.

The EPA has also set a goal of increasing the U.S. recycling rate to 50 percent by 2030. With a current recycling rate of only 32 percent, it is clear we have a long way to go. That is why we must also focus on increasing access to recycling opportunities throughout our Nation—not just in urban areas or suburban areas but in rural areas as well. Many Americans in disadvantaged communities want to recycle and compost, too, but they are unable to do so because they, in many cases, live in communities that lack curbside pickup, that lack bottle return, and that lack other necessary recycling infrastructure.

Senator CAPITO's Recycling Infrastructure and Accessibility Act of 2023 would address this challenge by creating a pilot program with EPA to help expand recycling services in underserved areas. The Recycling Infrastructure and Accessibility Act that she has written would bring many communities, including those in rural areas, into the recycling world while also better protecting our environment.

I commend Senator CAPITO for her work and her leadership in developing this legislation. I also want to continue working with her to ensure that her bill helps to jump-start recycling in communities with the greatest need, especially in disadvantaged and historically underserved communities.

Both of the bills that I have referred to from members of our committee are a result of a true collaboration, and they reflect a substantial amount of bipartisan effort dedicated to exploring and addressing our Nation's recycling and composting challenges.

The adoption of these bills this week is fitting and timely, as Saturday marks the 53rd anniversary of the very first Earth Day. This day is personal to me. Some 53 years ago this Saturday, I stood side by side with tens of thousands of people in San Francisco's Golden Gate Park. I was a naval flight officer. I had completed my training and was about to deploy out of Moffett Field, CA, to head for Southeast Asia, but I had an opportunity to join tens of thousands of people in Golden Gate Park that day to celebrate our country's first-ever Earth Day.

That same year, Democrats and Republicans worked together with then-President Richard Nixon to create a Federal Agency dedicated to protecting our environment. The name of that Agency? The Environmental Protection Agency.

Decades later, I can still vividly remember—I can; I can close my eyes and remember it now—that first Earth Day and the urgency we felt to save our planet. Today, a younger generation also shares that sense of urgency.

While I believe we ought to live every day like it is Earth Day, on April 22 of each year, I especially welcome the opportunity to reflect and give thanks for all of the incredible natural resources and natural beauty that God has given us on this planet of ours.

Earth Day is also a time for all of us to reflect on our actions individually and as a whole, to think about what more we can do and should be doing to protect our planet and its inhabitants. Like many people, I try to live my life by the golden rule of always treating people the way I want to be treated. I also believe that principle extends to the way we treat and care for our planet and those with whom we share it.

A couple of years ago—and some of my colleagues may remember—we had a visitor on the other side of the Capitol, in the House Chamber. He was a fellow from France named Macron, the Prime Minister of France. He came to address a joint session of Congress that day, and he did a great job. He was very well received, I think, by everybody.

On that day, he spoke of the importance of protecting our environment from the threats of climate change, hazardous waste, and toxic pollution. At the end of his speech, he said something I will never forget. He was talking about our planet, and these were his words:

There is no planet B. There is no planet B. This is the only one we are going to have.

I sat there that day, thinking, boy, he has gotten it right; there is no planet B. That means we only have one chance to get it right when it comes to protecting and caring for this planet of ours.

As I said earlier, I am committed to leaving behind a cleaner, healthier planet for future generations. I welcome all of our colleagues to join Senator CAPITO and myself in that effort. Fortunately, we have made remarkable progress over the past five decades following that very first Earth Day. From enacting comprehensive laws to protect our environment and support good-paying, clean energy jobs to ratifying the Kigali Amendment to the Montreal Protocol and phasing down the use of superpolluting chemicals like HFCs, which are 1,000 times more potent as a greenhouse gas than carbon dioxide, there is much to be proud of. Still, our work is not finished. We have a long way to go. I think it was Robert Frost who said we have miles to go before we sleep—miles to go before we sleep.

So, today, we celebrate the opportunity to build on this progress and leave behind a livable planet with our

bipartisan recycling legislation. We also acknowledge that there is more to be done. In the spirit of Earth Day, I am prepared to roll up my sleeves and keep marching forward in my effort to do the right thing by our planet and the people who call it home just as I did some 53 years ago this Saturday. I invite Americans from all walks of life to join the Senator from West Virginia, Senator CAPITO; Senator BOOZMAN from Arkansas; and myself in this effort. It is the right thing to do, and it will make you feel good all over. I promise.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mrs. CAPITO. Mr. President, it is a pleasure to be on the floor today with the chair of our EPW Committee and with my friend from Arkansas, Senator BOOZMAN.

I am going to speak again about another example of the bipartisan work of our EPW Committee, where we have had accomplishments that are real, practical, and positive and result in good change for our country. On the EPW Committee, we have a history of working together, of crafting legislation together, and of getting good policy going. Sometimes it is not easy, but we have been able to do it.

The cornerstone of the Infrastructure Investment and Jobs Act, which made needed investments in our Nation's core infrastructure, was written and passed out of EPW. With the Water Resources Development Act, it was the same thing. It supports the work of the U.S. Army Corps of Engineers on projects across this country. It was passed out of our EPW Committee unanimously, and it eventually became law.

Today, Chairman CARPER, Senator BOOZMAN, and I are reintroducing two pieces of legislation that had been previously approved by EPW and the Senate unanimously—both the committee and the full Senate—to tackle another issue in a bipartisan way, which is access to recycling in America.

Not only is recycling something that we have found people really want to do, but it is great for the environment, and it is good for business. It supports over 1 million jobs and generates billions of dollars in economic output every year. But in order to grow these numbers, we need to ensure people who want to participate really can, particularly those in rural and underserved areas, such as areas of my State, so that they can do so.

Mr. President, the first bill we are reintroducing today, the Recycling Infrastructure and Accessibility Act, addresses challenges when it comes to recycling for many of our smaller cities and towns.

In the one I live in, we have sort of stopped and started on recycling. Recycling services, including curbside recycling, are just simply not available. These rural areas share common barriers to accessibility: location and proximity to material recovery facilities and the size and density of the population. This is just not available. This has led to low processing yields and high costs in collection and transportation costs, making it difficult for material recovery facilities to operate at a profit.

Our legislation would establish a pilot recycling program to ensure places like West Virginia, Arkansas, Wyoming, or Alaska aren't being left behind. The pilot program would award grants on a competitive basis to eligible entities for improving recycling accessibility in a community or communities within the same geographic area.

Along with improving access to recycling, it is important to fix important data gaps, as the chairman spoke about, when it comes to recycling in America. That is the intent of the Recycling and Composting Accountability Act, which is the other piece of legislation we are introducing today. It would improve data collection on our Nation's recycling systems and explore the potential of a national composting strategy. Not only would this give us a better idea of how well States are doing through recycling and composting rates, but it would also help us identify those areas that may be struggling to sustain and grow proper recycling programs.

These are simple steps we can take, supported by both Republicans and Democrats, to improve and expand recycling in this country. Americans in every community—rural and urban, on the coasts or in the heartland—share a desire to protect our environment. These pieces of legislation will help make it easier for them to recycle, to contribute to a healthier planet, and to create jobs along the way.

With Earth Day coming up, it is fitting that we continue our efforts to expand recycling by reintroducing these bills today, alongside Chairman CARPER and Senator BOOZMAN, and I thank them both for their work.

DRUG CRISIS

Mr. President, I informed the Senator from Arkansas, but I need to inform Senator CARPER that I am having back-to-back speeches, so I am going to totally change the topic here real quick before Senator BOOZMAN talks about recycling. Thank you for letting me move ahead here.

Mr. President, I rise today to talk about an issue that is impacting every State in our Nation, an issue that has the potential to impact every community, every family, and every person in the Chamber today, and that is the drug and substance abuse crisis.

My home State of West Virginia knows all too well about the scars that this crisis has created and the devastating toll that it takes. West Virginia, unfortunately, continues to lead the Nation in overdose deaths per capita. It is a sad statistic for us, and although these deaths have been declining, every single overdose death is one too many.

In 2020, we lost 1,197 West Virginians to overdoses. Data from our State health department indicates that over 80 percent of these deaths included an opioid.

Our State's EMS teams responded to over 9,000 suspected overdose calls, and there were 6,916 emergency room visits related to overdoses. These numbers are just staggering and clearly show the continued and urgent need to address this crisis and the many forms that it comes in.

This is certainly an issue that requires immediate attention from every level of government and deserves more than just four mentions in the President's most recent budget proposal.

While I feel the President and his administration lack that sense of urgency, ending the addiction crisis and taking action to save countless lives remains one of my top priorities.

Each time I meet with our northern or our southern U.S. attorneys in West Virginia, the drug crisis is by far the largest topic of discussion. Their offices see firsthand the amount of illicit drugs that are entering our State and work around the clock to remove the threat that these substances create in our communities.

Like I have said in this Chamber before, last October our U.S. Attorney's Office of the Northern District of West Virginia recovered approximately 75 pounds of cocaine, 19 pounds of methamphetamine, and nearly 5 pounds of fentanyl in Wheeling, WV, on one bust.

Investigators found that traffickers had these drugs shipped from the U.S.-Mexican border to Ohio via tractor-trailer and used cash payments to people who flew from California to Pittsburgh to move the cash back and forth. The connection between the crisis at our southern border and the drug epidemic we are seeing at home does not get any clearer than that.

In December of last year, the DEA announced nationwide seizures of over 50.6 million fentanyl pills and more than 10,500 pounds of fentanyl powder. The DEA estimates that these seizures could represent 379 million potentially deadly overdoses of fentanyl. That is enough fentanyl to kill every single American. And these are just the drugs that they found.

With the Border Patrol stretched unfathomably thin, there is no telling the amount of drugs that are getting through undetected. We know that these drugs are entering our country through the southern border, making their way into each and every State and wreaking havoc.

If President Biden would get a little more serious about stopping this, I think he has to get serious about border security. In a crisis this urgent, it is time to act.

I have spoken with the DEA administrator about the support they need and the challenges that they are facing. I have introduced legislation, led letters, and pushed for initiatives that informed the public of the dangers of fentanyl getting in the hands of our youth, that strengthen our investigations on fentanyl trafficking, and that

prevent fentanyl and synthetic drug shipments from being smuggled into the United States through the mail.

Currently, we are working on efforts to crack down on and schedule the illicit drug xylazine, which I understand is also known as ''tranq.'' If you didn't know by now, xylazine is an easily accessible veterinarian tranquilizer that is being mixed with opioids, including fentanyl, increasing the number of fatal overdoses nationwide.

This crisis is ever-changing, which means our approach needs to be multifaceted as well.

I encourage the President, his administration, and all of our colleagues right here in the Congress to stay on this effort and stop the latest modifications before it is too late.

Even in the midst of devastating losses in our State, I have always been inspired, encouraged, and moved by the efforts of people in West Virginia to end the drug crisis and help those in our State during the times when they need it the most. West Virginians continue to be responsible for the most innovative recovery solutions and prevention efforts that we have seen.

The opioid crisis has made a personal targeted impact on communities all across our State, and in turn we have seen success through these community-based solutions.

I have seen in Martinsburg, WV, with a program that is a police-school-community-health-and-education partnership working to prevent substance use disorders from ever happening to our youth. By building strong families and empowering the community, we build resiliency in children and families to help them overcome this horrible addiction.

I have seen this in Kearneysville, WV, where they are building a recovery village so that individuals who are struggling with addiction receive access to family and community they definitely need.

The detailed focus is on housing and workforce development, aspects of recovery that are absolutely critical.

I have seen drug court programs all across our State, where West Virginians are building each other up, holding each other accountable, and giving those who struggle with addiction the chance for a life of recovery.

You know, West Virginians take care of West Virginians, and there is no other issue that requires each and every one of us to work together quite like this one.

So, President Biden, the drug crisis has created a dire situation in communities not just across my State but across the country. We have no time to waste. Every day of inaction results in turmoil and devastation for so many families and loved ones.

We need to secure the southern border; we need to crack down on illicit drug trafficking and new tactics that criminals are implementing; and we need to deliver the tools our communities need to implement Federal programs and develop those community-based solutions that we know work best. We must do this together. We must do it now. Countless lives depend on us.

With that, I yield the floor to my colleague from Arkansas, my fellow recycler, Senator BOOZMAN.

RECYCLING

Mr. BOOZMAN. Mr. President, it is great to be here with Senator CARPER and Senator CAPITO—two dear friends but also two leaders in the recycling effort, not only recycling in general but the Recycling Caucus—to raise the visibility of the importance of recycling from an environmental standpoint as well as the important role the industry has in our economy.

Of the many caucuses that I am a member of, the Senate Recycling Caucus is one of the most active.

The attention to recycling in Congress is night and day compared to what it was a couple of years ago, in large part because of Chairman CARPER's leadership. So I want to thank him so much for his commitment not only in word but in deed.

When China implemented its ''National Sword'' policy in 2018, that halted the import of plastics and other materials destined for its recycling processors. As a result, we really began to see how crippled our domestic recycling abilities were. But through a lot of hard work, we are beginning to help the policymakers and the public and private sectors understand how recycling is common sense.

This is not a red or a blue State issue. Recycling is good for the economy, it creates jobs, and helps the environment. Everyone should be able to get on board with those incentives.

Recycling is a critical part of the United States, with it being a $200 billion industry that has created over 680,000 jobs. However, with the recycling rate in the United States currently sitting at around 32 percent, there is certainly room for improvement.

It will take a team effort to get where we want to be. Corporations, manufacturers, and leaders from across the spectrum all have a role to play in developing the best ways our country can be a global leader in this important industry.

One of the bills we are introducing today is the Recycling and Composting Accountability Act. This is a data collection bill at its core.

As it stands, there is no standardized data for our national recycling system, since there are upward of 10,000 individual recycling systems in the United States at local and State levels. It is hard to fix a recycling problem—it is hard to fix any problem—if you don't have a baseline data point to work with. That is what this bill is all about.

The other bill that we are championing is the Recycling Infrastructure and Accessibility Act. This pilot program will award grants, on a competitive basis, to eligible entities to improve recycling accessibility in a community or communities within the same geographic area.

While these bills will not completely fix our Nation's recycling system, we know it is progress. If we keep building on commonsense wins, I am confident the United States can become the leader globally in recycling, as it should be.

I look forward to further working with Senator CARPER and Senator CAPITO and, again, thank them for their leadership and their efforts as we champion sustainable and economically beneficial policies that recycling is all about. We must continue to develop meaningful, long-term solutions that address the challenges facing the recycling industry today.

I yield the floor.

The PRESIDING OFFICER (Ms. ROSEN). The Senator from North Carolina.

SOUTHERN BORDER

Mr. BUDD. Madam President, our country is in the midst of the worst border crisis in our history. Since President Biden took office, there has been more than 5 million illegal crossings at the southern border.

I have been to the border multiple times, and I have seen this crisis firsthand. In fact, the last time I was there, I was touring a heavily trafficked sector with off-duty Border Patrol officers. As we were driving along, the officers spotted a couple of cartel members. One of the officers turned to me, and he apologized. He said: I am sorry, but I am going to have to go on duty now. He went over and he apprehended and he arrested the cartel members there, right on the spot.

This is just a small taste of what they have to face each and every day. We have to keep these men and these women in our prayers, and we must give them all the tools that they need to keep our homeland safe.

Beyond the rampant lawlessness, the crime, the human trafficking, one of the worst aspects of this crisis is the devastating amount of drugs that are pouring into our country.

The last annual numbers showed that over 100,000 Americans died just last year from drug-related overdose, and about 90 percent of those were related to fentanyl.

This crisis has gotten so bad that fentanyl-driven overdose deaths are now the leading cause of deaths for those who are between 18 and 45 years old. And this is perhaps the worst statistic: Children under 14 years old are dying of fentanyl poisoning faster than any other age group.

The drugs that come through the border cause unspeakable harm back in communities in North Carolina. To many, they are only one or two degrees away from a personal tragedy with a name having to do with illegal drugs.

I routinely talk to sheriffs all over the State. I recently went to all 100 counties, and I talked to a lot of those sheriffs. Many of them told me that every single county in North Carolina

is now a border county because of President Biden's policies.

In fact, a recent drug bust in Iredell County, just north of Charlotte, uncovered enough fentanyl to kill 250,000 individuals. That is poison from just one traffic stop in North Carolina.

It begs the questions: How did we get here, and what can be done?

We got here at precisely the moment that President Biden stopped enforcing the law at the southern border. President Biden stopped building the border wall on his first day in office. He has reversed policies to quickly deport criminal illegal aliens. He refused to get tough on sanctuary cities that don't obey Federal law. He ended the ''Remain in Mexico'' policy. And next month, he will end title 42 with no plan on how to manage the impending surge.

The story of President Biden's border crisis is one of preventable tragedies compounding day in and day out. And if the White House won't act to stop it, then Congress should.

The very first bill I introduced as a U.S. Senator is called the Build the Wall Now Act. It requires border wall construction to restart immediately, it removes all legal roadblocks to construction, and it unlocks $2.1 billion in unspent funding.

I have seen for myself the idle heavy equipment just sitting there, the concrete and the steel that have sat unused since January 20 of 2021. My bill simply orders the Biden administration to use those supplies and finish the job.

When I spoke to those border agents, they told me that they really need a wall and, yeah, they need funding but that what they really need is an administration that has their back. And right now, they don't have that.

Securing the border used to be a bipartisan issue. So I would call on President Biden to stop ignoring the border crisis, suspend any partisanship that is stopping him from doing what we know would stop this suffering, and for the sake of our law enforcement, for our parents, for our children, we need this administration to change course so that we can save lives.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. RICKETTS. Madam President, I rise today to join my colleagues who are continuing to sound the alarm about the ongoing drug crisis we have here in our country.

I will reiterate what my colleague said with regard to the fact that the leading cause of death of Americans age 18 to 45 today is fentanyl. In 2021, 106,000 Americans died of a drug overdose, 70,000 because of fentanyl. Now, let's think about if a terrorist attacked our country and killed 106,000 Americans. We would be up in arms. We would be mobilizing the country. Yet we do not see that response out of the Biden administration.

Fentanyl is a drug that is coming to us from across the border. The precursors of it are manufactured in China and shipped to Mexico, where the cartels then, in illegal labs, create the fentanyl that they ship across the border. When it comes across the border, it does not stay there; it goes all across our country.

The last 2 years I was Governor—the first 2 years of the Biden administration—we saw the increase in the drugs the Nebraska State Patrol was confiscating go up dramatically. We saw twice the amount of methamphetamine confiscated, 3 times the amount of fentanyl, and 10 times the amount of cocaine. In 2019, Nebraska law enforcement confiscated 46 pills—46. In the first 6 months of 2021, that number had grown to 151,000 pills confiscated—unbelievable.

It is killing people in my State, as it is across the country. I have talked on this floor before about Taryn Lee Griffith, a 24-year-old mom of two. She was out with friends when she took a pill she thought was Percocet, but it was laced with a lethal dose of fentanyl. She died that night. Now, her two little girls are going to have to learn about their mom through pictures and stories from family.

This is shameful, and it must end. It is impacting people all across this country. As I have said before on this floor, if this is not our job, to fix this, I don't know what is. So what more can we do? Well, first of all, we can address the southern border.

I have had the opportunity to go to the southern border several times, and when I talk to Customs and Border Protection officials, they tell us they need three things: They need infrastructure—wall, build a wall; they need more technology, like better drones; and they need more personnel. This Congress needs to provide Customs and Border Protection the resources they need to be able to stop the flow of drugs coming into this country.

Another thing we can do—unbelievably, if you distribute fentanyl and it kills somebody, that is not a murder charge. However, I am proud to cosign on Senator MARCO RUBIO's bill, the Felony Murder for Deadly Fentanyl Distribution Act, which would make it a Federal felony murder charge to distribute fentanyl and then have somebody die from it. This is a very serious crime that is going on. It needs serious consequences. We need to make this a felony murder charge. And let me tell you, the families are asking for this.

One of the other things we periodically do here is we put fentanyl on the schedule I drug list, but it is temporary. We need to make that permanent. We know fentanyl and the analogues are dangerous and need to be schedule I drugs that have no medical purpose. So let's do that. And that is why I have cosponsored Senator JOHNSON's Stopping Overdoses of Fentanyl Analogues Act, otherwise known as SOFA.

This is a drug crisis. It is killing our young people in this Nation. I call on my colleagues to act, to take these steps to combat this crisis. Too many Americans are dying because of what is going on. We need to act.

With that, Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

(The remarks of Mr. HAGERTY pertaining to the introduction of S. 1192 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. HAGERTY. Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

FENTANYL

Mr. LEE. Madam President, I would like to talk about fentanyl. It is cheap, it is highly addictive, and it is deadly. It is responsible for more overdose deaths in America than any other drug. Last year alone, 110,000 Americans died from fentanyl poisoning in America.

I recently joined a U.S. delegation to Mexico focused on stopping illicit drug trafficking, curbing illegal immigration at the U.S.-Mexico border, and addressing China's role in providing precursor chemicals for fentanyl production and laundering money for the cartels.

I can say that the drug crisis spilling into our country is apparent to anyone willing to travel to the border and witness it for themselves. It is becoming more and more apparent every day. In fact, it is becoming more apparent even within Mexico.

During my recent visit with President Lopez Obrador in Mexico, I heard him talk about the fact that, although in many instances, with many other drugs, drug production in Mexico has often been sending drugs just to the United States, at least far more than it has to Mexico, but with fentanyl, we are seeing something different. We are seeing that fentanyl is now spilling into the Mexican market, and many Mexican citizens are starting to die from fentanyl poisoning.

So he, too, is concerned about it and is looking for ways he can make sure that China keeps closer track of the precursor chemicals and that the Government of Mexico is notified when those shipments of large-scale containers of these precursor chemicals arrive in Mexico, presumably for the production of fentanyl inside of Mexico.

Yet, notwithstanding all these developments and 110,000 Americans dying in the last year alone from fentanyl, the Biden administration has utterly failed to stop this massive influx of fentanyl flowing across our southern border. In fact, fentanyl is one of the only commodities to see a price decrease since Biden took office. We have seen rampant inflation everywhere else but not with fentanyl. So despite this historic inflation that we have been experiencing ever since January 21, 2021, street prices for this deadly drug have fallen, indicating supply is meeting demand without significant impediment,

bringing down the price. For example, in Arizona, users were paying $20 per pill in early 2021, but by early 2022, the price had plummeted to $5. In Ohio, the cost of fentanyl went from $75,000 per kilogram in 2017 to $50,000 in 2019 and then to $36,000 in 2021.

This is the last of the places where we want to see the opposite of inflation. We wish that our consumer products at grocery stores and everywhere else were going down, not the price of illegal, deadly fentanyl.

To put these numbers in perspective, we have been talking about the price per kilo—$75,000 per kilo a few years ago; and then 50,000 in 2019; and then 36,000 in 2021. To put it in perspective, each of those kilos—just 1 kilo of fentanyl contains half a million lethal doses. That is to say, 1 kilogram could wipe out the entire city of Atlanta, GA; and 1 kilo could essentially wipe out the entire population of the State of Wyoming. And 2 kilos could kill the entire State of Delaware.

The DEA recently announced the seizure of more than 50 million fentanyl-laced pills and more than 10,000 pounds of fentanyl powder, just in 2022 alone. These seizures—that no doubt just represent a fraction of all fentanyl that made its way into the United States without detection and seizure—represented a staggering 379 million lethal doses, far more than enough to kill every man, every woman, and every child in the United States.

Fentanyl is a killer. It is more powerful than morphine and has a potency that is measured in micrograms. Even a tiny amount can be lethal. Just 2 milligrams can kill an adult. That is why, when you measure this out, 2 milligrams—or 2,000 micrograms—going into a kilogram is going to get you to half a million lethal doses in 1 kilo.

It is just unconscionable for this administration to turn a blind eye to the problem of fentanyl trafficking across the border. In the face of such a lethal threat, we need to have bold and decisive action, not empty rhetoric, because the drug cartels really don't care about party politics. They only care about making money. And that money is coming from the pockets of our fellow Americans suffering from addiction.

This isn't just a problem for border States like Texas and Arizona. It is a threat to every community in America. It is sold on street corners in small towns and in big cities. It is killing our friends, our neighbors, and our loved ones.

We must secure our borders to disrupt the drug cartels. We cannot tacitly allow fentanyl and other deadly drugs to continue flowing into our communities and destroying the lives of our everyday citizens.

Now, yes, it is true, they are working to seize the stuff; and our law enforcement agents have seized a lot of it. But with millions of people crossing into our border—our southern border—over the last slightly more than 2 years—millions of people pouring in—it is making it worse, especially when you consider those same people are being trafficked into the United States, earning billions of dollars—the extortionate rates that they charge—to smuggle human traffic into the United States. It would be folly to assume, as the Secretary of Homeland Security recently suggested at a hearing before the Senate Judiciary Committee, that that doesn't play a very significant role in fentanyl making its way into the United States. He insisted that nearly all of the fentanyl comes in by way of vehicles—trucks and passenger vehicles—at points of entry. I don't know how he can possibly know that. In fact, it is impossible he could know that, because when you have 5 million people coming into the United States illegally through our southern border in slightly more than 2 years, it would be folly to assume that those people being trafficked by the drug traffickers wouldn't also be used to carry fentanyl.

In short, every pill of fentanyl is a potential killer. Every shipment of fentanyl is a ticking time bomb, if not a weapon of mass destruction. And every life lost to fentanyl is a tragedy.

We owe it to ourselves, our families, and our communities to tackle this problem and to do everything in our power to stamp out the scourge of this drug in American communities.

The PRESIDING OFFICER. The Senator from Montana.

Mr. DAINES. Madam President, when most people talk about the fentanyl crisis crippling our communities today, they talk the numbers. And the numbers are very powerful.

In 2022, synthetic opioids like deadly fentanyl claimed over 75,000 lives in our country. In fact, it is estimated that over 150 people die every day from overdoses related to the synthetic opioids, the most common one being fentanyl.

But today, what I really want to tell you about is one person. I want to tell you about Reilly Schrapps from Butte, MT. Reilly was born November 6, 1997. We have four children. Our youngest of four was born in 1996. This all hits way too close to home.

You see, Reilly loved his mother and his father, Tom. Incidentally, Tom was my guest at the State of the Union Address earlier this year. His stepmother, his brother, his stepsiblings, their family's two dogs, were all loved by Tom. In fact, according to those who knew him best, Reilly was an avid fisherman, he was a sportsman—so much like most Montanans—and he spent his free time enjoying the great outdoors in Montana with family and friends, floating the Big Hole, skiing Discovery, and camping Canyon Ferry.

Reilly was also an artist. He enjoyed all these things and more until July 30 of 2022, the day Reilly died taking a pill laced with fentanyl. Reilly was in Montana when this happened. He was just 24 years old.

Reilly lives on in the stories that families and friends tell about him. But that shouldn't be the case. Reilly should be alive today.

Fentanyl overdoses quickly became the leading cause of death for 18- to 45-year-olds in our country. It is a fast-acting poison—50 times more powerful than heroin, 100 times more potent than morphine. And it is taking children away from their parents and spouses away from their partners. We lost over 75,000 people just last year.

And I commend law enforcement in Montana and across our country for doing everything in their power, many times risking their own lives, to get fentanyl off our streets, but they can't do it alone. We must stop fentanyl from flooding our streets to begin with by securing our wide-open southern border.

Since President Biden took office, there have been over 5 million illegal border crossings. Montana has just over 1 million total residents. We have had over 5 million illegal border crossings since the President took office. This includes gang members, drug dealers, suspected terrorists, as well as thousands of pounds of deadly, illegal fentanyl. This is the most in our Nation's history.

You see, Mexican cartels are using chemicals that come from China sent to Mexico; and there in Mexico, they manufacture illicit fentanyl, which is pressed then into counterfeit pills, smuggled across the southern border, and sold as pills in powder form in our communities.

These cartels are terrorist organizations. We need to call and treat them as such. The cartels are taking advantage of the wide-open and lawless southern border. So many of us have spent nights on the southern border, including myself, shoulder to shoulder with those brave men and women, with Border Patrol, trying to protect our country but vastly outnumbered, because they are not only flooding the southern border with illegals but also flooding the southern border with poison, including our Montana communities.

Montana is a northern border State. But we have a southern border crisis. And the consequences of this crisis are most tragic. These are not just numbers and statistics. They are human lives—lives like Reilly's. Every single one is someone's child, somebody's parent, somebody's friend. And they are people that should still be here today.

When Tom Schrapps joined me at the State of the Union Address earlier this year, he said that even though talking about what happened to Reilly is so painful, that if he could just save one person, one family, from the pain that he has gone through, the pain would be worth it.

So I am here talking about this, urging—urging—the administration and my colleagues to secure the southern border, change the policies that once were working that this President rescinded. We need to do everything to prevent more families from feeling this pain.

The scourge of fentanyl on our communities is the single greatest threat to public safety today. When you look at the violent crime that we are seeing increasing across the State of Montana—you spend a little time; it doesn't take a lot of time—a little time with any law enforcement across the State of Montana, they will tell you it is the drugs that are causing the crime—every one of them. Fentanyl will continue to fuel the worst drug crisis in American history until we take serious action to address the open border crisis at our southern border. And there are solutions right here at our fingertips.

If this administration and my colleagues across the aisle would join us, we can crack down on these Mexican drug cartels and those who supply them with the chemicals to produce illicit fentanyl.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. YOUNG. Madam President, we are entering graduation season; 17- and 18-year-olds should be attending their senior prom, preparing to finish high school, and looking forward to their futures, as my oldest daughter is right now. They should not be in the obituaries of our local newspaper. Their high school lockers should not be makeshift memorials covered in flowers. And yet all over America, they are.

Fentanyl is the leading cause of death for Americans aged 18 to 45—the leading cause of death. A rapidly increasing number of the dead are teenagers. And the rate of teen overdoses since the pandemic have more than doubled compared to the decade before.

Between 2019 and 2021, the number of deaths caused by fentanyl among 10- to 19-year-olds increased by 182 percent. And this is due almost entirely to the fentanyl found in counterfeit pills, many of which are sold via social media—platforms like TikTok and Snapchat.

The drug is incredibly lethal. Two milligrams, the equivalent of 10 grains of salt, can kill. It is inexpensive to produce and exponentially more dangerous than heroin or morphine. Even the overdose rate of children 5 and under is growing. Hundreds of thousands of Americans are dying, so many of our kids among them.

How can we be so powerless to prevent this?

To all the families who have lost loved ones to fentanyl, we grieve with you. We share your anger, and we vow—we vow—not to let your loved one's death be in vain. It is past time we took the fight to the monsters who traffic in this poison, who profit from our loss.

I know the Presiding Officer feels the way I do about this issue.

First, we know that the majority of fentanyl is making its way into our communities through Mexico. To President Biden and his administration: Secure the border now.

Second, let's give the frontline soldiers in this fight the tools that they need to keep fentanyl off our streets. The HALT Act, which my colleagues and I recently introduced, would do this. It would permanently classify fentanyl-related drugs as schedule I, meaning they would be deemed dangerously addictive with no medical value, and holds those who deal in this poison liable to civil and criminal punishment. This legislation would enable our law enforcement officials to better fight the impact of this deadly drug.

Lastly, we need to cut off the dealers' back channels to our children. We know that pushers prey on teenagers across social media platforms, embedding advertisements with emojis or codes. Social media companies must work with the Federal Government to shut down these one-stop digital drug shops—shut them down.

Another recently introduced bill, the Cooper Davis Act, would require social media companies to play their part in this fight and duly report drug trafficking across their platforms. To accomplish this, our bill would create a standardized reporting system with the Federal Government, modeled after the existing reporting system for child sexual abuse material on social media platforms. It has worked there. It will work here as well.

The Cooper Davis Act is a bipartisan proposal reflecting the scale of devastation caused by the drug crisis across all of the 50 States. In fact, this crisis knows no region, no class, no party. No American family is immune from it.

By securing the border, by passing the HALT Act, and by passing the Cooper Davis Act, we can start—we can start—to rally a true national response to this crisis. We cannot let the deaths of so many young Americans be for naught. Enough is enough.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

ABORTION

Mr. BENNET. Madam President, I feel like, in fact, I have been here on a weekly basis to talk about this issue. And the reason I feel that way is that I have been here on a weekly basis to talk about what is happening in the wake of the Dobbs decision, which stripped the American people of the first fundamental freedom, the first fundamental right, that we have lost since reconstruction.

This was a 50-year effort on the part of certain people in this country, with an ideological commitment to overturn Roe v. Wade, who used every single mechanism that they could of our democracy and, now, ultimately, our judiciary, to enforce a legal outcome that the vast majority of the American people have never supported and, today, don't support.

We find ourselves on the floor today, I dare say, facing a resolution by the Senator from Alabama, whom I have been out here arguing with for the last 6 weeks—a resolution that would be decried by, I would bet, 9 out of 10 Americans. I will be fair: 8 out of 10 Americans. This is an effort in the wake of the Dobbs decision, which stripped the American people of this fundamental freedom, this fundamental right that families have relied on for 50 years.

Millions of veterans now live in States where abortion is banned. I will come to that in a second.

In an attempt to deal with the catastrophe in the wake of Dobbs, the VA has promulgated some rules to make it allowable in the Veterans' Administration. When a veteran or their family member has been raped, is the victim of incest, or when the life of the mother is at stake, what the VA has said—because we are dealing with the overturning of Roe v. Wade—in those cases, those three limited cases, we are going to allow people to get access to care at the Veterans' Administration.

That has set off the Senator from Alabama, who is now trying to get the Senate to pass a resolution to ban that so that veterans and their families who are the victims of rape, who are the victims of incest, or where the life of the mother is at stake, cannot get medical care at the Veterans' Administration. In a State like his, which has banned abortion, that is what is at stake this week.

A month ago, we were on this floor because the same Senator from Alabama was putting a blanket hold on every single flag officer's promotion in the U.S. military. Think about that. That sounds impossible. That sounds like an exaggeration.

Madam President, the reason it sounds that way to you is because, first of all, you are a reasonable person, but, second of all, it has never happened in the history of this Senate before—that somebody has held up the promotion of every single flag officer, put a blanket hold on.

Now, that is not because of what the VA is doing. That is because of what the Department of Defense is doing, because the Department of Defense, again, in the wake of Dobbs—the Dobbs decision overturning Roe v. Wade—in the wake of that, DOD has said: If you are serving in a State where abortion is banned, we will pay for your travel from that State to another State. We will say that you don't need to use unpaid leave to get to that other State.

And we have said—DOD, not me, has said: If you want to take a little longer to talk to your commanding officer about one of the most personal decisions anybody could make, any family could make, any woman could make, we are going to give you a little bit of extra time to do that.

Those are the three things. I bet 80 percent of the American people support those things, and I guarantee you more than 80 percent of the American people

do not support the idea that we are going to hold up every single flag officer who is coming here for a promotion, at a moment when Putin has invaded Ukraine and China is rattling their saber over their idiosyncratic view of how the world ought to work.

I heard that somebody today said: Well, this veterans rule violates the Hyde amendment.

First of all, the Hyde amendment, as is well known, doesn't even apply to the VA. And, if it did—guess what—there are three exceptions to the Hyde amendment: rape, incest, and the health of the mother.

So they are even trying to turn back Hyde. That is what they are trying to do on the floor of this Senate, and they are messing with the readiness of the American Armed Forces to do it.

What brought us here?

What brought us here was the Dobbs decision. What brought us here was a Court packed—packed—with a wish list of people who, for 50 years, have been fighting for an originalist—so-called originalist; made up, made up—but an originalist conception of constitutional law, and they finally found a guy in the form of President Donald Trump who was willing to put these people on the Court.

And they gave the Court the majority they needed to eviscerate Roe v. Wade, to strip this fundamental right, to strip this fundamental freedom, and to do it with contempt; to not wrestle with the question of what is going to happen to people serving in the Armed Forces of the United States if they are unlucky enough to need an abortion and they live in a State like Alabama, for example, where, if you are a doctor and you perform an abortion, you can go to jail for 99 years—although, admittedly, admittedly, there is an exception in Alabama for the life of the mother.

This end point—I hope it is an end point. This end point of that 50-year war on freedom, war on Roe v. Wade, war on a set of expectations that women, in particular, have in this country, but that families have in this country—that war was brought to a conclusion, in some sense, by a majority opinion written by Justice Scalia that, essentially—read it, read it—essentially came down to this: If it wasn't a right in 1868, it is not a right in 2023. If it wasn't a freedom in 1868, it is not a freedom today.

Forget that, at that time of the 14th Amendment to the Constitution, Black people and women didn't even have the right to vote. They didn't even have the right to vote. But in the 21st century, when we are meant to compete in a global economy, in a society that, by any measure, is still profoundly unequal but far more equal than it was in those days, where women do have the right to vote, where Black people do have the right—thank God—in this country to vote, we are reading the language in 1868 and saying: Well, was it a right or a freedom then? That is how we are going to decide whether it is one today.

In the early 1990s, when I was in law school and when we knew that it was at the dawn of originalism—I mean, that was happening right then. It was part of the Reagan revolution. It was part of law and economics. It was part of making the shareholder the supreme being in the United States of America—part of that whole measure, that whole time period in the country's history. That is when some genius—and they were a genius—came up with the word ''originalism'' to describe a legal ideology that says: We are only going to look in the rearview mirror to figure out what our rights are today—as if they could divine the intent of the Founding Fathers on a question like abortion, who, by the way, had massive disagreements among themselves.

Anybody who has ever read even a signpost or a tourist—you know, some sort of signpost on the side of Independence Hall in Pennsylvania, in Philadelphia—knows how many disagreements the Founders had with themselves. The idea that somehow you are going to divine their one view about what the Constitution should say is preposterous. But here we are. Here we are.

And we were told when this happened: Don't worry about it. You know, this is just a matter of the Supreme Court sending this right, sending this fundamental freedom—this fundamental freedom—back to the States. That is all. It is just an exercise in federalism.

Well, since this happened, since Dobbs was passed, 18 States have banned abortion. I have one kid who is about the age of the pages now. Two others are older than the pages now. I am telling you, I was with my daughter Caroline the other day, riding through Colorado, looking at the billboards as we went by, and I said to her: Man, Caroline—she is now 23—if you had told me 20 years ago that in 2023 we would be living in a country that was legalizing marijuana and banning abortion, I would not have believed you. I would not have believed you.

She doesn't believe it either.

As my friend JON TESTER, my friend the farmer from Montana, says, his daughter is having to fight for rights that her mother never had to fight for because her grandmother won these rights. And now we are rolling it all back because the Supreme Court majority that Donald Trump made possible after all these years, after all this effort to strip the American people of this freedom, has decided, if it is not a right in 1868, it is not a right today.

So 18 States have banned abortion. Nine have no exceptions for rape or incest. There have been now restrictions on freedom to travel. Texas famously has put $10,000 bounties. It is like the Wild West, all of a sudden, where if you are a friend or a neighbor who is driving somebody to access abortion services and somebody catches you, says you shouldn't have been doing it, you can get a $10,000 bounty.

In Florida, in the Sunshine State—I think Florida is the third largest State in the country—one of them, the third largest State in the country—in broad daylight—actually, to be honest with you, it was at 11 o'clock at night—the Governor has now signed a 6-week ban on abortion.

One in three women don't even know that they are pregnant. A third of women don't even know that they are pregnant at 6 weeks.

I don't know whether the Governor of Florida knows that or doesn't know that, but it is an interesting question: Which would be worse, him knowing it or not knowing it?

And, now, all of a sudden, 9 million veterans and their families, including 2 million female veterans, live in States that have banned abortion or restricted it in ways that would have been unimaginable to my daughter Caroline, to families all over the country.

And, as I said, in some limited way of dealing with it, the VA announced these rules. But these narrow rules that have to do with rape and incest and the life of the mother, they are not enough for the Senator from Alabama, and, this afternoon, he is forcing a vote to strip away the VA policy and impose a position on every veteran in America that is more extreme than his own State.

Hyde doesn't apply to the VA, and, even if it did, there are exceptions for rape, for incest, for the life of the mother. That is not extreme enough for them. His resolution would ensure that veterans who have been raped, who are victims of incest, whose life is at risk, can't seek an abortion at the VA, along with their spouses and their dependents.

Even in Alabama there is an exception for the life of the mother, and they have one of the most restrictive abortion laws in the country.

I am going to come to an end because my colleague is here from Nevada. I have two colleagues here from Nevada. So I am confused. I said I am going to finish, but I will take a couple of minutes and then finish, but by saying that it is tragic that we have to have this vote in 2023. It is.

This is a tragedy. It is a tragedy. It is a spectacle. It is an embarrassment. But at least people will have the opportunity to know where every Member of the Senate stands, and they are going to understand what a 50-year political effort to strip America of this freedom looks like.

You know, there was a survey in a poll last month in Florida, and my colleague won't be surprised to know this: 75 percent of Florida opposes a 6-week ban; 61 percent of the GOP in Florida opposes a 6-week ban. Let that sink in.

I don't know. I am not a great politician, unlike some people. But, maybe, that is why he was signing it at 11 o'clock at night. Maybe that is why, when the Governor of Florida signed it,

he sent out a tweet that didn't say he had signed a 6-week ban on abortion in Florida, because 75 percent of the people there oppose it, just like the majority of Americans.

And so I think we should defeat this resolution. I think the American people should take note of every single vote that is cast here by these Senators.

But, really, as important as that, we need to understand what has happened to our politics, what has happened to our Supreme Court through this 50-year war on American freedom and this 50-year war on a woman's right to choose.

And we need to come together as a country and codify a woman's right to choose so the next generation of Americans has the benefit that the last 50 years of Americans have had.

I yield the floor.

The PRESIDING OFFICER (Ms. BALDWIN). The senior Senator from Nevada.

Ms. CORTEZ MASTO. Madam President, I ask unanimous consent that the following Senators be permitted to complete their remarks prior to the scheduled recess: Senator ROSEN, myself, Senator KLOBUCHAR, and Senator SMITH.

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

The junior Senator from Nevada.

S.J. RES. 10

Ms. ROSEN. Madam President, since the Supreme Court overturned longstanding protections for the fundamental right to access abortion care nearly a year ago, we have seen countless attacks on women's reproductive rights from anti-choice States across our Nation—States that are banning abortions without exceptions for rape or incest; States that are risking the lives of women who have miscarried; and I have been doing everything I can to stand up and to defend a woman's fundamental right to make healthcare choices for her own body without interference from anti-choice politicians.

And this includes making sure we protect our veterans' rights, and that includes the right for those veterans to make decisions over their own bodies. Our veterans and their families—you know, they have risked so much to protect our Nation, to protect our rights. And we owe it to them to defend their fundamental right to access reproductive care, regardless of where they live. They put themselves in harm's way. We must protect them.

That is why, last year, I urged the Department of Veterans Affairs to make it clear that they will provide access to abortion care to veterans and their families, and I am glad they listened. But today—today—anti-choice Republicans in Washington want to overturn that decision, and they want to restrict our veterans' access to reproductive care.

That is what today's debate is about. If they get their way and they roll back this rule, the VA healthcare system would no longer be allowed to provide abortion counseling or any kind of care to servicemembers and veterans and—listen to this—even in the cases of rape, even when the mother's life is at risk.

I am not going to let that happen.

My State of Nevada is honored to be the home of hundreds of thousands of veterans, and we are a proud pro-choice State. When Nevadans sent me here to the Senate, they sent me here to fight for their rights, and that is what I will always do.

So I urge my colleagues to join me in fighting back against this ideological attempt to restrict reproductive rights for veterans by opposing this resolution.

For our veterans, for our women in Nevada, for women everywhere in the United States, I urge a ''no'' vote.

The PRESIDING OFFICER. The senior Senator from Nevada.

Ms. CORTEZ MASTO. Madam President, I join my colleagues today to continue to speak out against the far-right Republicans' harmful and, frankly, insulting resolution to prevent women veterans from accessing essential healthcare in this country.

You know, our veterans stepped up to serve our country, putting their lives on the line to protect our freedoms and keep our families safe. We owe them a debt of gratitude. That is why I am working to ensure that we protect veterans' rights to essential healthcare.

We trust these women to make critical decisions in the line of duty to protect our national security; so why don't extremists on the right trust them to make decisions about their own bodies?

The purpose of the VA is to protect veterans' health and life. Since the Supreme Court struck down Roe v. Wade, my colleagues and I pushed the administration, including the VA, to take action to protect women veterans' access to abortion care across the country. At our urging, the VA created a rule to provide abortion counseling to pregnant veterans as well as abortion services in the limited cases of rape, incest, or the life or health of the mother. This is critical for women veterans, especially those who live in States with strict abortion bans and no access to care in their communities.

But we knew that after the Supreme Court overturned Roe v. Wade, anti-choice policymakers wouldn't stop trying to take away a woman's right to choose. And now they are going after the health and well-being of women who have fought for our country. There are 550,000 women veterans who get their healthcare through the VA. And 300,000 of those women veterans are at a point in their lives at which they need reproductive care. That is 300,000 women who have sacrificed for our country and who, according to extremist Republicans, don't deserve to make their own healthcare decisions. Some of these women veterans live in States where they can access reproductive care outside the VA, but over 155,000 of them live in States with harsh abortion restrictions on the books.

Now, I am leading legislation to ensure our veterans—and all women—maintain their right to travel to pro-choice States to get the care they need. Unfortunately, for many of these women, the VA is their only option for accessing abortion care. That is why the VA's new rule is so critical to protecting veterans' health and why extremist Republican attacks on reproductive care is so dangerous.

Women veterans put their lives on the line to fight for our freedom, including control of our own bodies, our lives, and our futures; and now the far right wants to take these freedoms away. We cannot let that happen. We have to ensure that this resolution does not pass, because we should be looking out and protecting the rights of women across this country, not taking away their rights and freedoms.

I yield the floor.

Ms. SMITH. Madam President.

The PRESIDING OFFICER. The junior Senator from Minnesota.

Ms. SMITH. Madam President, I rise today in strong opposition to the resolution before us today. This resolution would overturn the VA's rule protecting veterans' access to abortion counseling and care in cases of rape, incest, or when the life of a woman or her health is in danger; and, unfortunately, it is just the latest attack on women's freedom to make their own healthcare decisions without interference from politicians.

Today, veterans, their spouses, and dependents are protected and have the freedom to receive essential healthcare in the most devastating of circumstances.

By voting yes today, the Senate would take that freedom away. So let's be clear about what this means. A ''yes'' vote means you would be saying to women who are entrusted to protect our national security that they can't be trusted to make their own medical decisions. You would be saying that the person who has been raped or the victim of incest should not have the freedom to get an abortion. You are saying, in effect, sitting in this Chamber that those of you sitting in this Chamber should have the power to decide what healthcare a veteran can receive if she faces a serious or even life-threatening health threat if she continues a pregnancy.

So if you are considering a ''yes'' vote, I ask you, what makes you think that you know better? What makes you think that you should have the power over another person and their body?

This is an insult to the dignity of people, to veterans, and to their families. These are people who have given so much; and yet this body would deprive them of their right to freedom and self-determination, the very rights that they sacrificed and fought to defend.

Colleagues, I understand that people have differing views on abortion. And I

respect that. But I cannot understand why anyone would think that they should have the power to impose their own views on others in such extreme ways, because this resolution is extreme. And everyone who votes for it is saying that when it comes to our Nation's veterans who get their healthcare through the VA, that there should be no exceptions for abortion, even if that veteran has been the victim of rape or incest, even when continuing the pregnancy would endanger the veteran's life or health. That is not just extreme; that is cruel.

Here in this Chamber, some are also going after current servicemembers. There is currently an unprecedented and reckless campaign in this Chamber to hold up the promotions of career military personnel in order to force the Department of Defense to deprive servicemembers of their legal right to seek abortion care.

Let that sink in. They are willing to compromise our national security and leave 187 important military leadership posts vacant in order to enact their dangerous and unpopular anti-abortion agenda.

And they are not doing this because of what Americans want. It is the opposite, in fact. According to a Pew Research Center poll, over 60 percent of Americans say abortion should be legal in all or most cases.

Before I was in the Senate, I worked at Planned Parenthood, and I saw there, firsthand, the capacity of people to make good decisions—moral decisions—for themselves and their families about how and when or if to start a family. So I ask my Republican colleagues to reject this extreme proposal. Ask yourself: Why do you think that you know better than these women, these veterans, whose lives and stories, whose health and family situations you will never know?

And I can tell you: For women, this is personal. They don't want any of us making these decisions about their bodies and their health and their families for them. They are perfectly capable of making these decisions for themselves. So I urge my colleagues to stand with our veterans and vote to protect their rights after they fought so hard to defend ours.

I yield the floor.

RECESS UNTIL 4 P.M. TODAY

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 4 p.m.

Thereupon, the Senate, at 3:12 p.m., recessed until 4:01 p.m., and reassembled when called to order by the President pro tempore.

PROVIDING FOR CONGRESSIONAL DISAPPROVAL UNDER CHAPTER 8 OF TITLE 5, UNITED STATES CODE, OF THE RULE SUBMITTED BY THE DEPARTMENT OF VETERANS AFFAIRS RELATING TO ''REPRODUCTIVE HEALTH SERVICES''—MOTION TO PROCEED—Continued

The PRESIDING OFFICER (Mr. MURPHY). The Senator from Washington.

S.J. RES 10

Mrs. MURRAY. Mr. President, ever since Republicans succeeded in overturning Roe v. Wade and ripping abortion rights away from millions of women, they have been trying to hide how extreme their positions on abortion are and how devastating the fallout has been for families.

Even as each new day brings another horror driven by Republican extremists, like the dystopian bill put forward in South Carolina which proposed the death penalty for women who get an abortion, one of my colleagues even recently said that as President, he would ''literally sign the most conservative pro-life legislation.''

Let's not forget the terrifying lawsuit in Texas that is hanging over the entire country, where Republican extremists want to overrule the FDA's experts, undermine its authority to review and approve all manner of drugs, from chemotherapy to insulin, and take the abortion pill mifepristone away from patients all across the country, even in States like mine where abortion is still legal and even though we have 20 years of data showing this drug is safe and effective.

Yet, when the district judge issued a dangerous ruling that would rip this drug off the shelf, 69 congressional Republicans filed a brief calling for that ruling to go into effect and deny women in every single State access to this FDA-approved medication. The Supreme Court has stayed the decision for the time being, but this threat to women's ability to get this drug is as real as ever, and now 147 congressional Republicans—many Republicans who are in leadership, Republicans with oversight authority over the FDA—have filed a brief opposing our efforts to protect access to mifepristone and protect the FDA's authority.

And this extreme lawsuit is far from the only dangerous anti-abortion policy some congressional Republicans are pushing, as is the bill we are about to vote on today.

It has been incredibly infuriating for women to be told by Republicans that we are overreacting, fearmongering, even as we are being told by patients and providers about the nightmares they are now living in, about the impossible decisions they have had to make, and about the decisions—the deeply personal decisions—they have not been allowed to make that Republican politicians are, instead, now making for them.

It strains belief that Republicans actually think victims of rape or incest are not being affected by their policies and that women whose health—whose very lives—are in danger are not facing any barriers or are being denied the care they need, especially when we see news stories reported every day showing that that is not the case—stories that show women are being put in horrific, unthinkable situations, forced to travel absurd distances for care after they are raped, forced to wait and bleed and get sicker and sicker before they can get the care they desperately need.

But even if Republicans are ignoring the devastation State abortion bans are causing and are ignoring women who are speaking out every single day, what we are talking about today in this Senate is a bill congressional Republicans wrote themselves. It really puts an end, once and for all, to some Republicans' empty claims that they are being moderate in any way here. Victims of rape or women with medical complications are not being heard, because this bill, which Republicans wrote, which Republicans are coming to the floor advocating for, would cut veterans and their families off from care when their lives are in danger and would cut them off from care after rape or incest.

Make no mistake, that is what this debate is about today. That is what they are voting for. In arguing for this bill, they are also showing they know full well how extreme State bans actually are. After all, they cannot pretend that, on the one hand, State abortion bans have meaningful exemptions for women with life-threatening complications and for people who have been raped, including children, while also arguing, on the other hand, that this proposal defies State laws to allow the VA to provide care in those heartbreaking situations. Those arguments contradict each other. More importantly, those claims contradict the real, heartbreaking stories we are already hearing from women and doctors about how these bans are putting lives at risk.

Extreme abortion bans are causing healthcare crises all across the country, along with so many personal crises for families in facing incredibly difficult situations, which is why the VA care rule that President Biden put forward is so important and why the Democrats are standing so firm to keep it intact. Despite the rhetoric from my Republican colleagues, this rule that they are trying to overturn is a meaningful, modest step to protect our veterans. It simply allows the VA to provide abortion care to make sure that none of our veterans or their eligible dependents go without medical treatment when their lives are in danger or are forced to stay pregnant after rape or incest.

That is it. That is what Republicans are so upset about. They are upset that this administration has taken action to make sure women who have served our country in uniform can get the basic reproductive care they need when

their health is at risk or in cases of rape or incest. Those veterans fought to protect our rights, and now Republicans want to roll back theirs. These veterans put their lives on the line for us, and now Republicans who support this resolution want to tell them that when their lives are in danger, tough luck. Politics comes first. No one—no one—deserves that.

So I urge all of my colleagues to stand with our veterans, to stand with their families, and vote against this unthinkably cruel bill that seeks to force women veterans to stay pregnant even when their lives are at risk, even after rape or incest.

Mr. President, I ask unanimous consent that Senators Tuberville and Schumer be permitted to complete their remarks prior to the rollcall vote.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Alabama.

Mr. TUBERVILLE. Mr. President, I am proud to have come from a military family. Our veterans are some of the best people in this country. Because of that, I am grateful to serve on the Veterans' Affairs Committee. Giving back to our veterans has been a passion my whole life. Our men and women in uniform deserve the best medical care available. I am grateful for every healthcare provider that works for and with our veterans.

The mission of the VA is taken from Abraham Lincoln's second inaugural address. Lincoln pledged our country to ''care for him who shall have borne the battle.'' That is what the VA is supposed to be about. But today, under the Biden administration, we see the VA increasingly—increasingly—getting distracted from that very important mission. The Biden administration increasingly has the VA involved in politics.

Last year, the VA announced they would begin providing taxpayer-funded abortions—last year. This is something the VA has never, ever done. Let me repeat that. The VA has never done abortions. In fact, the VA has been prohibited by this body from performing abortions at its facilities for more than 30 years.

The 102nd Congress—1991 to 1992—made taxpayer-funded abortions at VA facilities illegal. Let me repeat that. Thirty years ago, this body made taxpayer-funded abortions illegal. It is a law. They did this with the bipartisan Veterans Healthcare Act of 1992. The last I heard, that is a Federal law, passed by this body, which, for some reason, we don't want to do anymore. We want the executive branch to be able to do it on their own, and that is wrong. We need to do our job.

This, today, is not about abortions. It is about taxpayers paying for abortions that they don't have to pay for because of a law that was presented and passed in this Chamber in 1992. The bill was introduced in the House and the Senate by whom? None other than the Democrats. The Senate passed it unanimously. This includes a Senator by the name of Joe Biden.

Now President Biden is breaking the law that he voted for. How do you do that? This is a direct violation of Federal law. The Biden administration even wants taxpayers on the hook for abortions for veterans' dependents. That has never happened. So we are changing the law at 1600 Pennsylvania Avenue and not in here, where we are supposed to do our job. It has got nothing to do with the VA's mission.

The VA won't even tell Congress if they are placing restrictions on abortions. When are they doing it—at 5 months? 3 months? 2 months? after the baby is born? We can't get any information out of them. They just write the laws themselves. The VA has refused to cooperate with Congress throughout this whole process. And that is what this is all about. For all we know, a taxpayer-funded abortion can be at any time, at their choosing.

This new policy also includes very limited moral protections for VA medical staff. This, too, is unheard of in our laws and our traditions. We have had moral protections on the books for decades. It was James Madison who said that a man has a right to his property, and ''Conscience is the most sacred property of all.'' This was the attitude of our Founders. Frankly, the Founders would be shocked by what is happening in this Chamber today.

Frankly, the Biden administration is violating the consciences of the taxpayers as we speak by putting pressure on the taxpayers to have to defend and go after this. Taxpayers shouldn't be forced to pay for abortions, especially not when this was done without anybody's taking a vote in this building, especially when Congress voted to make it illegal 30 years ago. It is illegal and it is wrong.

In just a few moments, the Senate has a chance to do something about it. We are going to vote on a bipartisan basis to overturn this rule. If Democrats want taxpayer-funded abortions within the VA healthcare system, let's vote on it. That is what we are elected to do, not lean on a President and the White House to say this is what we are going to do. That ain't the way we do it in this building. If we are going to do it that way, let's lock the door and go home and save the taxpayers a lot of money.

Again, this is not about abortion; this is about doing it the wrong way. Let's pass the bill. Let's change the law. Let's don't break the law in here.

I would like to thank the dozens of Senators supporting my resolution. I would also like to thank Senator MANCHIN and Senator MARSHALL for standing with me earlier today at a press conference to explain the facts to the taxpayers and the citizens of this country.

It is very simple: Any Senator who votes against this resolution is voting for taxpayer-funded abortion with no guardrails or protection for any medical staff or nurses.

Voting no on this resolution means voting to give away even more power from Congress to the executive branch, and that is really all we need around here.

Right now, the VA is spending money we have never voted to spend. Anyone who believes in the appropriations process, let's oppose this rule and support this resolution.

Voting no would mean letting the administration spend money without the consent of the people in this room, and that is what we are elected to do. Voting no means a big stamp of approval for a blatantly illegal regulation. Voting against the resolution also means turning the VA into a taxpayer-funded abortion clinic.

The VA should be focused on their mission. Lord knows, we have got 20 veterans a day dying of suicide. Why don't we focus on helping the veterans who have been fighting in wars, these last 20-year wars that we have been funding. Let's keep politics out of the VA. These people have had enough politics in their lives. Let's stay focused on their mission to ''care for him who shall have borne the battle,'' as spoken by President Abraham Lincoln.

I yield the floor.

Ms. KLOBUCHAR. Mr President, I rise in opposition to S.J. Res. 10 to roll back protections for veterans and their family members who are seeking to access basic reproductive healthcare. I would like to thank Senator MURRAY, Senator BALDWIN, and Senator DUCKWORTH for their leadership in standing against this resolution.

Almost 10 months ago, the Supreme Court issued a ruling overruling nearly five decades of precedent protecting a woman's right to make her own healthcare decisions. Now, women are at the mercy of a patchwork of State laws governing their ability to access reproductive care, leaving them with fewer rights than their moms and grandmas.

S.J. Res. 10 is yet another attempt to roll back women's access to care. It would overturn a decision by the Department of Veterans Affairs to allow veterans and their family members to access basic healthcare. Currently, the rule allows Veterans Affairs doctors to provide counseling and care to women veterans and beneficiaries covered by Veterans Affairs insurance, as well as abortion care in the case of rape, incest, or when the life or health of the women is at risk. The rule is limited, and the Department has said that Veterans Affairs doctors, nurses, or healthcare professionals can opt out of providing abortion care.

Women across the country are already facing so much uncertainty because of the Supreme Court's decision in Dobbs v. Jackson Women's Health Organization. This resolution threatens the lives and health of women veterans who risked their lives for our country. Today, we are standing up for

them by making it clear that we will not settle for a reality where they cannot access basic care.

The PRESIDING OFFICER. The Senator from California.

Mr. PADILLA. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant 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. Without objection, it is so ordered.

Mr. SCHUMER. Mr. President, when the health and safety of our country is at risk, it is up to veterans to step up to protect us. They risk their lives for us. They are always there for us. But today Senator TUBERVILLE from Alabama is pushing legislation that would take away reproductive care for hundreds of thousands of veterans and their families. That is right. The hard right is telling our veterans they should be treated as second-class citizens, our women veterans.

It is the kind of extreme proposal millions of Americans strongly oppose and one which, if it is passed, would gravely harm women's health. There are over 150,000 women veterans. They risk their lives for us. Now we must protect them.

The more Americans reject MAGA extremism, the more MAGA Republicans seem to double down, and this bill is a perfect example. That is the MAGA right in a nutshell: Eliminate women's choice at all costs, even at the cost of our national defense. Again, the MAGA right says: Eliminate women's choice at all costs, even at the cost of national defense.

Here is the bottom line: Our veterans dedicated their lives to our freedom so we should protect their freedom of choice, plain and simple.

ORDER OF PROCEDURE

Mr. President, I ask unanimous consent that the vote in relation to the Scott of Florida amendment No. 81 occur following the vote on the motion to proceed to S.J. Res. 10; further, I ask that the Senate vote at 11:15 a.m. tomorrow in relation to amendment Nos. 85 and 83; and the Senate vote on passage of S. 870, as amended, if amended, at 1:45 p.m., with all provisions under the previous order remaining in effect.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. SCHUMER. I yield the floor, and I strongly urge a ''no'' vote on this CRA, this awful CRA.

VOTE ON MOTION

The PRESIDING OFFICER. The question is on agreeing to the motion to proceed to S.J. Res. 10.

Mr. COTTON. 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 senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) is necessarily absent.

The result was announced—yeas 48, nays 51, as follows:

[Rollcall Vote No. 90 Leg.]

YEAS—48

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

NAYS—51

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

NOT VOTING—1

Feinstein

The motion was rejected.

(Mr. SCHATZ assumed the Chair.)

FIRE GRANTS AND SAFETY ACT—Continued

The PRESIDING OFFICER (Ms. CORTEZ MASTO). The Senator from Florida.

AMENDMENT NO. 81

Mr. SCOTT of Florida. I call up my amendment No. 81 and ask that it be reported by number.

The PRESIDING OFFICER. The clerk will report the amendment by number.

The bill clerk read as follows:

The Senator from Florida [Mr. SCOTT] proposes an amendment numbered 81.

The amendment is as follows:

(Purpose: To use unspent COVID–19 relief funds to offset the costs of grants)

At the appropriate place, insert the following:

SEC. _____. TRANSFER OF UNOBLIGATED COVID FUNDS.

(a) COVERED FUNDS.—The term ''covered funds'' means amounts made available under—

(1) the Coronavirus Relief Fund established under section 601 of the Social Security Act (42 U.S.C. 801); and

(2) the Coronavirus State and Local Fiscal Recovery Fund programs established under section 602 or 603 of the Social Security Act (42 U.S.C. 802, 803).

(b) IDENTIFICATION OF FUNDS TO TRANSFER.—Not later than 30 days after the date of enactment of this Act, the Secretary of the Treasury shall identify unobligated covered funds, which shall be transferred to the Administrator of the United States Fire Administration under subsection (c).

(c) TRANSFER.—Effective on the date that is 60 days after the date of enactment of this Act, the unobligated covered funds identified by the Secretary of the Treasury under subsection (b) shall be transferred to and merged with other amounts made available to the Administrator of the United States Fire Administration to carry out section 17(g)(1)(N) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2216(g)(1)(N)).

(d) AVAILABILITY AND USE.—Amounts transferred under subsection (c) shall remain available until expended.

Mr. SCOTT of Florida. Madam President, we must do more to support firefighters, which—I support this bill. However, as we all know, we are in a very tough financial situation. Families are struggling. We are over $31 trillion in debt.

I have a very simple amendment. It would transfer all remaining unobligated State and local COVID funds to offset a portion of the cost of the Fire Grants and Safety Act.

I urge all my colleagues to support this amendment.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. PETERS. Madam President, the funds this amendment targets have already been obligated to States to help communities continue recovering from the COVID–19 pandemic. In addition, at the end of last year, the Senate unanimously passed legislation led by Senators CORNYN and PADILLA that also allows States and localities to use these funds to respond to natural disasters and fund infrastructure and community development projects. Under this amendment, this funding would be redirected to the U.S. Fire Administration—an account that should be consistently funded through the annual appropriations process.

Firefighters deserve steady, dedicated funding for their programs. Redistributing this funding could weaken our Nation's ability to continue responding to and recovering from the COVID–19 pandemic and would pull funds from a program that is supporting our communities, families, and small businesses in important ways.

Firefighters and the communities they protect are counting on us to reauthorize these programs to help them get the safety equipment and the training they need in order to do their job. We should not have to choose between supporting our Nation's recovery and investing in our communities and helping our Nation's firefighters.

I would urge my colleagues to oppose this amendment.

The PRESIDING OFFICER. The Senator from Florida.

Mr. SCOTT of Florida. Madam President, I appreciate what my colleague has said. Let's remember that President Biden declared the COVID emergency over. These are unobligated dollars. We do have $31.5 trillion in debt. I think the right thing to do is pass this

bill with this amendment to support our firefighters.

I urge my colleagues to all vote for this amendment.

VOTE ON AMENDMENT NO. 81

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. SCHATZ. 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 California (Mrs. FEINSTEIN) and the Senator from Rhode Island (Mr. WHITEHOUSE) are necessarily absent.

Mr. MCCONNELL. The following Senators are necessarily absent: the Senator from Alabama (Mrs. BRITT) and the Senator from Arkansas (Mr. COTTON).

The result was announced—yeas 47, nays 49, as follows:

[Rollcall Vote No. 91 Leg.]

YEAS—47

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

NAYS—49

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

NOT VOTING—4

Britt	Feinstein
Cotton	Whitehouse

The PRESIDING OFFICER. On this vote, the yeas are 47, the nays are 49.

Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is not agreed to.

The amendment (No. 81) was rejected.

The PRESIDING OFFICER. The Senator from Indiana.

UNANIMOUS CONSENT REQUEST—S. 1101

Mr. BRAUN. Madam President, I come here this evening because I have got a problem, and the problem is the IRS. It has a bad track record. They often fail to be good stewards of taxpayer money and to protect highly sensitive information as well. They don't do a good job at that.

Despite this, Congress and President Biden recently gave the IRS $80 billion in new funding—$80 billion—most of which we had to borrow, probably.

Last week, the IRS released a 150-page document outlining how it will spend $80 billion in new funding. The report is very vague about how that will be done. ''Enforcement activities''—I would love more specifics.

The IRS has a history of being weaponized against conservative organizations and for hassling hard-working taxpayers and small business owners with audits. I don't know that the wealthy are going to be held to account. They have got their lawyers, and they fight this stuff off routinely. I am worried that it is going to hit middle America. With this huge funding boost, these problems, I think, will only grow.

It is unacceptable to treat American taxpayers this way. The IRS does not need more power. It needs to be reformed to ensure that it serves the best interests of all Americans.

I have got a solution: Simplify, don't amplify, the IRS. And let's just put ''act'' right after that.

Last Congress, I introduced a bill with several IRS reforms to hold the Agency accountable and protect taxpayers. The Simplify, Don't Amplify the IRS Act would stop the Biden administration from continuing to grow the power of the IRS.

This bill would stop attempts to target Americans and small businesses by snooping in their bank accounts, credit union accounts, Venmo, PayPal, and Cash App.

The bill would also repeal the Democrat ban on cutting State taxes, hold IRS employees accountable when they release private taxpayer information, and ensure that the IRS spends its time helping taxpayers rather than on unofficial union activity.

We can debate how much money the IRS needs to do its job, but we also need commonsense policies like the Simplify, Don't Amplify the IRS Act. This bill would immediately add value to the American taxpayer and help restore faith to a dysfunctional government Agency that affects every American.

Therefore, Mr. President, I ask unanimous consent that the Committee on Finance be discharged from further consideration of S. 1101 and that the Senate proceed to its immediate consideration. I further ask that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER (Mr. OSSOFF). Is there objection?

Mr. WYDEN. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President and colleagues, there are ideas in Senator BRAUN's bill that Democrats and Republicans definitely could work together on, and I have always enjoyed working with Senator BRAUN. Unfortunately, there are two ideas in this proposal that are showstoppers. The first, in effect, deals with rigging America's tax system, and the second issue deals with rigging our political system.

As far as I am concerned, the tax laws on the books already make it too easy for the very wealthy, multinational corporations, and the politically powerful to avoid paying taxes already. To a great extent, those people can pretty much pay what they want, when they want to. And, unfortunately, the bill that Senator BRAUN has brought forward would rig this system even more.

Democrats, in the inflation reduction legislation, put a focus on coming down hard on tax cheating by the ultrawealthy. Republican budget cuts in the past have made it far too easy for the wealthy and the multinational corporations to get away with cheating on their taxes. So, in late 2022, Democrats said ''enough already'' and put special protections in place to ensure that the IRS would focus on cheating at the top, not on people earning under $400,000.

The way this proposal busts open a huge new tax loophole is it would, in effect, redefine what counts as income when it comes to deciding who gets audited, and it would encourage billionaires to disguise their wealth. The bill would give billionaires like Jeff Bezos, who, allegedly, reported less than $100,000 of adjusted gross income, a free pass. It would be a loophole.

The tax part of this would encourage tax cheating and be a huge gift to these scofflaw billionaires who are ripping off working Americans who do the right thing and follow the law.

The second aspect of this proposal that, regrettably, I have to oppose is that this proposal would lock in a Trump policy that opens the floodgates to more dark money influencing our elections and our laws. It codifies, in black letter law, rules to make it easier for illegal donations and foreign actors to intervene in our elections undetected, encouraging illegal campaign activity, and inviting Russia and China to undermine our democratic process.

I have just gone through seven open-to-all townhall meetings in counties in my State, in areas that were pretty darn red, and I don't recall anybody ever telling me they wanted to get hit with more nasty, shadowy political ads.

So, for those reasons, I object.

The PRESIDING OFFICER. The objection is heard.

The Senator from Illinois.

(The remarks of Mr. DURBIN pertaining to the introduction of S. 1199 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. DURBIN. I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

UNANIMOUS CONSENT REQUEST—S. RES. 164

Mr. LEE. Mr. President, I ask unanimous consent that the Senate proceed

to the consideration of S. Res. 164, which is at the desk; further, that the resolution be agreed to, the preamble be agreed to, and that the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. DURBIN. Mr. President, reserving the right to object.

The PRESIDING OFFICER. The majority whip.

Mr. DURBIN. Mr. President, I have discussed the matter which Senator LEE brings to the floor for consideration, and I thank him for accommodating me by allowing me to object at the beginning rather than at the end of his remarks. And I will say that it relates to a commemorative resolution which he wanted to offer. I came to learn as chairman of the Senate Judiciary Committee that we have rules and standards by which we allow these commemorative resolutions to be considered.

I have given Senator LEE a copy of that policy—the committee policy—and I would like to ask unanimous consent that I be allowed to have it printed in the RECORD at this point.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

COMMITTEE POLICY FOR CONSIDERATION OF COMMEMORATIVE MEASURES

The following conditions shall govern the consideration of holiday and commemorative legislation by the Senate Committee on the Judiciary.

1. The measure must be bipartisan. At least one Republican and one Democrat must support the measure.

A. If the measure is specific to a particular state, the bipartisan requirement may be waived—provided that both home state Senators support the measure.

2. No measure may commemorate:

A. A commercial enterprise, industry, specific product, or fraternal, political business, labor or sectarian organization;

B. A particular state or any political subdivision thereof, city, town, county, school or institution of higher learning, except for the purpose of recognizing a significant anniversary or achievement; or

C. A living person.

3. Committee policy and committee jurisdiction will not ordinarily be waived.

4. Committee policy will provide for an annual commemoration, in each of two years, provided:

A. Such proposal is introduced during the first session of a congress;

B. A substantially similar proposal has been passed by the Senate with respect to each of the four years immediately preceding the first year of the proposed commemoration;

C. The commemorative periods proposed would occur during the Congress in which the resolution is introduced.

5. No measure may direct or otherwise request or encourage the President of the United States to take action with respect to the holiday or commemoration.

6. Written committee reports will not be filed regarding this type of legislation.

7. The committee will not consider requests to waive any of the above requirements unless two-thirds of the members indicate a desire to do so.

Mr. DURBIN. Let me say further, he, as I understand it, is going to be trying to offer, despite my objection, a resolution commemorating the 50th anniversary of the Heritage Foundation.

The fact that I am applying the Committee Rules is no reflection on that organization whatsoever. But I do want to make it clear that under those rules, I have to object at this point.

The PRESIDING OFFICER. The objection is heard.

The Senator from Utah.

Mr. LEE. Mr. President, for half a century, the Heritage Foundation has worked to build a United States where freedom, opportunity, prosperity, and civil society flourish. Their unwavering commitment to our Nation's core principles has been a guiding light for generations, and we owe them our deepest gratitude.

In 1972, the Heritage Foundation was conceived by Dr. Edwin J. Feulner and Paul Weyrich to deliver timely and persuasive research to Congress with facts, with data, and sound arguments on behalf of principles that promote freedom, opportunity, and prosperity for all Americans.

On February 16, 1973, the Heritage Foundation opened its doors for the first time and quickly grew to become one of the most influential and most broadly supported think tanks in the United States.

Over the past 50 years, the Heritage Foundation has played a critical role in many great legislative successes of our great country. They published the ''Mandate for Leadership'' in 1981, which served as a ''policy bible'' for President Ronald Reagan in his administration.

In 1982, the Heritage Foundation published the first comprehensive study outlining a missile defense system to defend the United States from nuclear missile attacks. Six months later, President Reagan made his historic speech calling for a strategic defense initiative to protect the United States.

Research by the Heritage Foundation formed the basis for welfare reform in the 1990s, resulting in more than 5 million people in the United States leaving welfare, finding work, and, ultimately, reducing African-American child poverty to historic lows.

The Heritage Foundation understands that the people of the United States are best served by a government that understands, honors, and respects self-governance. They have been a voice of reason and an advocate for our shared American values, reminding us of the power of individual liberty and the importance of limited government. Their dedication to promoting a society based on these ideals has helped shape the course of our Nation, and we are all better off for it.

As we look back on the past 50 years, we should remember the incredible impact of the Heritage Foundation on our Nation. Their legacy is one of service, and we are grateful for their unfailing commitment to our country.

I urge my colleagues to support my resolution recognizing the important contributions at the Heritage Foundation to American life over the past 50 years and acknowledging their central role in shaping our Nation's policies and values.

As we move forward, the challenges facing our country continue to grow. We need the Heritage Foundation now more than ever. Their expertise, research, and dedication to our shared values are crucial. They will continue to be a force for good in the years to come, and I am proud to stand with them to support a better, brighter, and more prosperous future for all Americans.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Mr. President, moments ago, when I asked to pass this resolution honoring the Heritage Foundation by unanimous consent, moments before I made that motion, I was informed of this policy, a policy that I have never seen. After more than 12 years in the Senate, I haven't seen this policy.

It is a policy within the Judiciary Committee—not a rule but a policy—but a policy that is seldom employed. I have never seen it invoked. There are a couple of requirements in it. One is that a commemorative resolution, in order to be approved for clearance for passage by unanimous consent on the floor with the approval of the committee, would need to be bipartisan.

I want to be clear that while this was not bipartisan, I invited Democrats to join in this. I genuinely think they should be willing to join it in the same sense that I would be willing to join them in something honoring Brookings or some other think tank. This group has done good work, and there is nothing in the resolution that commits them to substantively embracing every policy recommendation in the Heritage Foundation's past.

So that one should be easily satisfiable. I hope to get to that point at some point. It is unfortunate that we can't get this passed today, but I would love to be able to do that.

The other one is that no measure may commemorate any entity that is political. Heritage Foundation is a 501(c)(3), and it is a charitable nonprofit entity. It is not political, and it also can't commemorate a living person. This is there to commemorate an institution, a foundation—not an individual.

So even though I wasn't aware of this policy until today, I think there is no strong reason why this should stop us from doing this. In any event, I hope we can get this passed, if not today, then on some other day soon.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

ABORTION

Mr. BUDD. Mr. President, taxpayers should not be forced to fund the taking of unborn life. That is why I voted in favor of Senator TUBERVILLE's resolution to overturn the Biden administration's rule that allows the VA to perform abortions up until birth. Using taxpayer-funded VA facilities to perform abortions is a clear violation of Federal and State law, and it is a clear abuse of Executive power.

The American people may have different views on abortion, but the majority of Americans agree: Their hard-earned tax dollars should not be used to pay for it.

All told, the VA admitted that this rule will allow at least 1,000 taxpayer-funded abortions each and every year. That is unacceptable, and that is why this rule must be overturned.

I yield the floor.

The PRESIDING OFFICER (Ms. HASSAN). The Senator from Texas.

TRIBUTE TO JASON FULLER

Mr. CRUZ. Madam President, I rise today to give tribute to a great American, a great Texan, a great friend, and a 24-year veteran of this institution who has dedicated his career to serving the needs of his fellow citizens. His name is Jason Fuller, and he has served as my regional director in the southeastern part of Texas, including my home city of Houston, for the last 5 years. He is now retiring and moving on to the private sector.

Jason is a native Texan. Born in Corpus Christi, he graduated from the University of Houston, where he served as student body president. He is a proud Houston Cougar.

Jason started working in the Senate in late 1994, after working on my predecessor Senator Kay Bailey Hutchison's 1994 campaign for a full term in the Senate. At the time, Jason said he was only going to come to DC for 2 years, work for Senator Hutchison, and move on. He ended up working in the Senate for 19 years. During that time, he served as Senator Hutchison's personal aide, until 1997, when he moved back home to Texas and worked for her regional office in Houston. He eventually became regional director and served in that role until Senator Hutchison left office in 2013.

In 2018, Jason heard the call to once again serve his fellow Texans, so he came on board as my regional director of southeastern Texas. His region stretches from the Texas-Louisiana border down south towards Victoria and all the way to the upper Texas gulf coast.

Jason hates to be on the sidelines, and he is always eager to help others in a crisis. When Hurricane Katrina happened and everything was chaos, Jason had 12 people, 6 dogs, and 3 cats squeezed into his downtown residence. He helped out in the shelters in the aftermath of Hurricane Harvey. When the Santa Fe shooting horrifically happened in May of 2018, Jason was there to lend a helping hand to the victims and their families, as well as to law enforcement. Many of those people became his personal friends.

When Jason is not helping his fellow Texans, he likes to travel to some of the most exotic and hard-to-get-to places on the planet. When Jason is getting ready for a trip, he spins the globe and sees where his finger lands. He has been to Iraq, China, Russia—anywhere that is going to give my State director and national security advisor heartburn.

He has often helped people in stressful situations, navigating the leviathan of Big Government on behalf of fellow Texans in their time of need. He has taken the time to connect with them personally and to listen as a friend listens.

In the coming days, Jason will start his new job in the private sector. We will miss him greatly, but we wish him well. The Senate, the people of Texas, and the thousands of people and families he has helped over the course of 24 years of service will miss him too.

Thank you, Jason, for your hard work, your determination, your passion, and your patriotism. God bless you.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

UNANIMOUS CONSENT REQUEST—EXECUTIVE CALENDAR

Mr. COONS. Madam President, I am, in a moment, going to ask unanimous consent that we proceed to confirm a nominee.

Stephanie Sullivan has been nominated to be U.S. Ambassador to the African Union. She was nominated June 15, 2022, for a position now vacant since January of this year.

Let me briefly say why this is important.

The African Union is the entity most likely to successfully negotiate peace in Sudan, a country now roiled by domestic violence, by a war between one faction of its military and another, and thousands of Americans are at risk.

I think it is crucially important to fill all of our vacant ambassadorial positions, but this one is particularly critical because of the role the AU can and should play in resolving this conflict. But we lack an ambassador in this vital continent-wide organization.

I will go on at some greater length about the qualifications and the background of this talented career Foreign Service officer who has been an ambassador twice before in Africa. But I will also say that statements that she has made in her role as an ambassador reflect the policy of the administration at the time, not her personal preferences or values. She is a talented representative of the United States, as a diplomat, whose actions and statements reflect the administrations she has served.

With that, I ask unanimous consent, as if in executive session, that the Senate consider Calendar No. 68, Stephanie Sanders Sullivan, to be Representative of the United States to the African Union, and that the Senate vote on the nomination without any intervening action or debate; that, if confirmed, the motion to reconsider be considered made and laid upon the table, and the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Is there objection?

The Senator from Ohio.

Mr. VANCE. Madam President, reserving the right to object, I want to talk about a few things here and why I am objecting to this nomination and why I would not vote for it if and when it comes before the full Senate.

First is a question of competence. This is an ambassador—Ambassador Sullivan—who went to Ghana and said on local television that she was proud of the fact that she had failed her Foreign Service exam twice.

It is hard to imagine a Chinese leader going to a country where they were trying to develop diplomatic relationships and bragging about failing any type of Foreign Service exam.

I don't know where this idea that we should celebrate failing the Foreign Service exam amongst our diplomatic corps comes from, but it doesn't make us look good, and it doesn't help Ambassador Sullivan in her duties.

Now, a second problem, the last time we sent Ambassador Sullivan to a senior job in Africa, her successor spent the following couple of months apologizing for and cleaning up for the job that she had done. In particular, she did so much to push a very, very divisive set of ideas in an American political context on a foreign country that had nothing to do with our national interests.

In particular, she seems particularly fond of the most leftwing versions of transgender ideology. Now, let me just address this particular issue.

I have my views on the transgender ideology question. In particular, I really worry that we are going too far, too fast not in support of the evidence, prescribing treatments and surgeries and hormonal therapies that could damage children for years. I think we need to be patient with this, and we need to follow the science.

This is why, by the way, most of our European allies—Sweden, for example, a country hailed as a great example of good healthcare, 10 years ago, by many Democrats in this Chamber, is going in the opposite direction of where we are going on the transgender ideology question.

Now, that said, I can accept that many people disagree with me. But

that disagreement in an American political context has no place for the diplomatic corps of our country. We should not be taking something that a majority of Americans disagree on and try to force it down the throat of another country. And the fact that we engage in this cultural imperialism is one of the biggest threats to American national security in the world today.

Now, let's talk about this cultural imperialism, the fact that it is unsupported and the fact that it is not good for our country.

We haven't had a real debate in this body. We have not had a sufficient conversation about whether we want to support certain ideological preferences in our diplomatic corps.

Why, for example, do we have a liberal White woman going to Africa and telling them that they are not civilized enough when it comes to issues of transgender ideology?

Why do we have a diplomatic corps that is taking a hotly contested issue in an American political context and demanding that African nations follow the lead of the far left instead of doing what they think that they should do?

Now, there are going to be people who say that there are all manner of atrocities that happen in Africa when it comes to sexual issues, when it comes to gender minorities, and so forth, and, of course, we think that is terrible, and we don't want that to happen. But she has gone so much further than that in placing a very particular set of ideas at the forefront of our diplomacy.

Let me just leave this body with one final thought. Look at the demographics of the people who have fought and died in American wars over the last generation. Many Democrats, of course, have done so, and we honor their service and we honor the sacrifice of themselves and their families. But a disproportionate share, especially of the enlisted troops, who are at the forefront of American power—the threat of military action and, sometimes, the reality of military action is what gives the State Department so much power in the first place—the knowledge that, if you don't follow America's lead, you can sometimes have military and security consequences because of it.

Do we think that the thousands of Americans who have died in America's wars in the last 20 or so years died so that the trans flag would fly over the nation of Ghana or any other African nation?

And why is it the policy of this government, again, to take a controversial topic in the context of an American political debate and force it down the throats of somebody else?

This is damaging our national security. Larry Summers, an Obama administration economist, a guy well respected on the left side of the aisle, said, talking to some of his friends who work in development in Africa, that when the Chinese come, they bring—let me get the exact quote here because I don't want to mess it up:

What we get from China is an airport. What we get from the United States is a lecture.

That is Larry Summers quoting somebody who does economic development in troubled regions of the world. Why——

Mr. COONS. Madam President, would the Senator yield?

Mr. VANCE. Can I finish the point, Senator COONS?

Mr. COONS. Go ahead.

Mr. VANCE. Here is what I would say here. The final point that I will make is, we have built a foreign policy of hectoring and moralizing and lecturing countries that don't want anything to do with this.

The Chinese have a foreign policy of building roads and bridges and feeding poor people, and I think that we should pursue a foreign policy, a diplomacy, of respect and a foreign policy that is not rooted in moralizing; it is rooted in the national interests of this country. Because Ambassador Sullivan is at the lead of moralizing instead of pursuing America's national interests, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Delaware.

Mr. COONS. At, apparently, another time, I look forward to having the opportunity to hearing some substantiation of the wild charges just made by my colleague from Ohio.

I did as much research as I could before appearing in what I had understood, mistakenly, to be the foundation of his objection. Now I look forward to figuring out how this nominee to serve again as an ambassador is an advocate of far-left gender therapies of some kind.

Let me make two simple points, if I can, in response to the comments I just heard on the floor. As someone who chairs the Senate Appropriations subcommittee that funds our development efforts around the world, and particularly in Africa, and as someone who was just in five different countries across the continent, to characterize China's engagement with Africa as one that promotes development in a positive way that is respectful and uplifting, and our engagement as simply ''hectoring,'' badly misses decades of the United States' being the No. 1 supporter of public health across the continent.

We are just now celebrating the 20th anniversary of President Bush's signature initiative, PEPFAR, which has saved 25 million lives. The Chinese do not invest in public health anything like the scale and scope the United States does. The Chinese, it is true, don't ask questions about the suppression of minorities, about the mistreatment of journalists, about the closing of political space, about domestic repression, and the United States does. So, if that is to be characterized as hectoring, then I would be glad to stand up for hectoring.

We do challenge autocrats across the continent of Africa, and we do stand up for democracy. We also invest significantly in human development at a time when China invests principally in airports and soccer stadiums and highways.

So I would be happy to have a debate at any time that my colleague from Ohio chooses to stay long enough to have the discussion about the foundations of our engagement in the developing world.

I also, frankly, take exception to his characterization of a talented, long-serving member of the Foreign Service who represented us as a confirmed ambassador in both Ghana and the Democratic Republic of the Congo.

Let me make the core point that I intended to make earlier, but in order to accommodate my colleague's need to be interviewed on television, I cut my comments short.

In Sudan today, a newly emerged war is raging between two militaries. Thousands of people are at risk. In particular, Americans are at risk. It is the African Union—a continent-wide organization headquartered in Addis, in Ethiopia's capital—that could and should be the entity that leads to peace in Sudan. To not have a confirmed ambassador is to weaken our ability to engage with the AU and to engage with the leaders of these two military factions in Sudan.

For too much of the 2 years of the Biden administration, we have struggled to get confirmations here on the floor of the Senate of talented nominees. We have worked closely together to make sure that we have overcome some of the holds and some of the blocks to nominees in the past. I am disappointed and frustrated by the spurious argument by my colleague as to why he is standing in the way of this particularly capable, seasoned, and experienced member of our Foreign Service.

I had imagined, based on previous statements made by my colleague, that he might be objecting to something she said on the occasion of George Floyd's murder, and I came to the floor today with significant, detailed content from the previous administration, making it clear that she wasn't acting simply on her own, that she wasn't acting on some leftist agenda, but that she was acting in response to the direction from both the Africa Bureau and the Deputy Secretary of State.

I had thought he might also be referencing a posting that was made on the occasion of a pride event, of an LGBTQ pride event—something that happens in Embassies all over the world and that reflects a shared commitment by the American people to human rights that is understandably part of diversity and inclusion.

My hunch is that I will have to wait for another time for my colleague to prioritize debate on the floor of the Senate over making his way to a cable television hit, but I respect my colleague. He is someone who has written

a very compelling book, who has been elected by the people of Ohio, and whom I expect to have the opportunity to get to know. We have only served together now for several months, and today was literally the first time we had exchanged words.

So I hope there will be more reason and more substance to his opposition to this nominee than what I heard on the floor tonight, and I look forward to engaging with him in that discussion and that debate.

With that, I conclude my remarks on this particular topic, and once handed the closing remarks, will speak briefly and then close the floor.

MORNING BUSINESS

TRIBUTE TO THOMAS J. HELLER

Mr. THUNE. Madam President, today I recognize the distinguished career, public service, and leadership of Thomas J. Heller.

Tom has served as president and CEO of Missouri River Energy Services for 30 years, joining the company in 1992 as its fourth CEO since the organization's founding in 1965. After leading the organization for three decades, Tom announced his retirement, effective June 30, 2023.

Under his leadership, Missouri River Energy Services navigated a changing energy landscape to provide reliable and resilient electricity to 61 member communities across South Dakota, Iowa, Minnesota, and North Dakota. Tom's hard work has certainly not gone unnoticed. In 2014, he was the recipient of the American Public Power Association's Alan H. Richardson Statesmanship Award, and, in 2020, he received the Mark Crisson Leadership and Managerial Excellence Award. Tom's colleagues speak highly of both his work and his character, and his departure will certainly leave big shoes to fill.

Before joining Missouri River Energy Services, Tom worked for the Moorhead Public Service Department for 16 years, including 7 years as general manager. Nationally, Tom serves on the executive committee of the Transmission Access Policy Study Group, the Missouri Basin Power Project Management Committee of Laramie River Station, and the American Public Power Association's CEO Climate Change and Generation Policy Task Force.

Following his retirement, Tom plans to spend more time with his grandkids Graham and Matilda. I am grateful for his commitment to public service, his hard work on behalf of Missouri River Energy Services and its member communities, and, more importantly, I am proud to call him a friend.

I commend Tom for his many great contributions throughout his long career and wish him all the best in his well-earned retirement.

RECOGNIZING THE IOWA HAWKEYES WOMEN'S BASKETBALL TEAM

Mr. GRASSLEY. Madam President, on behalf of the Hawkeye State, I am proud to congratulate the Iowa women's basketball team for a historic run in the NCAA Division I basketball tournament. All season long, the Hawkeyes played before sellout crowds at Carver-Hawkeye Arena in Iowa City. Fans from across the State got swept up in the adrenaline rush of remarkable athleticism and a fast-paced offense that delivered high-scoring games and thrilling victories throughout the regular season, from the home court buzzer beater against second-ranked Indiana on February 26, to bringing home the hardware on March 5 from the Big 10 Championship game at ''Carver North'' at the Target Center in Minneapolis.

Leading the team to its fifth Big 10 Conference Tournament title, Iowa's homegrown guard Caitlin Clark wowed the world all season long, setting the bar higher and higher and delivering one of many historic firsts yet to come in postseason play, namely the first 40-point triple-double in NCAA tournament history. Only after, the West Des Moines native and stellar student-athlete from Dowling Catholic High School registered the third triple-double in Big 10 tournament history, the first time ever in the championship game. Clark's phenomenal ability to connect with teammates in transition, net 3 pointers from half court, and score lay-ups and jumpers while being double-teamed captured the attention of the entire country. From one game to the next, Clark's trademark ability to swish a basket from the logo mesmerizes spectators, bewilders the defense, and opens up opportunities for her teammates to shine. A sensational athlete, Clark earned player of the year from multiple outlets this season.

Throughout the thrilling contests during Iowa's deep run in the NCAA tournament, Hawkeye fans from around the world and across the State of Iowa were thrilled with pride to be along for the ride. The journey began at home on St. Patrick's Day with a resounding win over Southeastern Louisiana 95–48. In the second round, the Hawkeyes beat Georgia 74–66 before a sellout crowd in Iowa City before advancing to the Sweet 16 against Colorado and on to face Louisville in the Elite Eight at Climate Pledge Arena in Seattle, WA. The spellbinding teamwork the Iowa Hawkeyes brought to the court broke attendance records for Women's NCAA tournament regional play as they locked in 87–77 and 97–83 victories, respectively, to punch their ticket to the Final Four at the American Airlines Center in Dallas. Next up, a contest against the defending champion South Carolina, who was on a 42-game winning streak. In a spectacular upset on Friday, March 31, the Iowa Hawkeyes secured a spot in the national championship game with a 77–73 victory over the Gamecocks.

The electrifying victories and hard-fought contests during the 2022/23 season made household names of Hawkeye starters Caitlin Clark, Monica Czinano, Gabbie Marshall, McKenna Warnock, and Kate Martin, led by an outstanding coaching team captained by head coach Lisa Bluder and associate head coach Jan Jensen, both homegrown products of Iowa women's basketball. I am proud to share an alma mater with Coach Bluder, where she earned her way into the Panther record books at the University of Northern Iowa. Widely respected as workhorses through their high school and collegiate careers, this dynamic coaching team has built a program for the ages that will inspire and attract future basketball players for years to come.

With nearly 10 million viewers for the championship game against the LSU Tigers, this historic match-up offered both teams their first opportunity in program history to bring home the national title. It was the most-watched women's basketball game in history. If what is past is prologue, the sellout crowds and record-breaking TV ratings will continue.

This magical season started at home on November 7, continuing with an exhilarating run through March Madness all the way to April 2, taking the Iowa Hawkeyes to the second Final Four in program history and its first appearance in the NCAA title game. The electrifying ride unified our State, even coalescing fans with die-hard rivalries in their bloodstreams. To be sure, I watched every minute and couldn't take my eyes off the game when the Hawkeyes were playing. Iowans cloaked themselves in Black and Gold to cheer for the Hawkeyes and women's basketball on the national stage.

Although the final score in the championship game didn't deliver the victory the coaches and players worked their tails off to bring home, the State of Iowa, the University of Iowa, and future generations of players received a priceless victory from this extraordinary season. The Iowa Hawkeyes women's basketball team made Iowa proud. This team has earned a place in our hearts, and we can't wait to watch and cheer for you next season and for generations to come. On behalf of the Hawkeye State, I congratulate you for an outstanding season that made history, put all eyes on Iowa, and catapulted women's basketball to soaring new heights on the horizon and beyond. Go Hawks.

SENATE COMMITTEE ON FOREIGN RELATIONS RULES OF PROCEDURE

Mr. MENENDEZ. Madam President, the Committee on Foreign Relations has adopted rules governing its procedures for the 118th Congress. Pursuant to rule XXVI, paragraph 2, of the Standing Rules of the Senate, on behalf of myself and Senator RISCH, I ask unanimous consent that a copy of the committee rules be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

RULES OF THE COMMITTEE ON FOREIGN RELATIONS

(Adopted February 27, 2023)

RULE 1—JURISDICTION

(a) *Substantive*.—In accordance with Senate Rule XXV.1(j)(1), the jurisdiction of the committee shall extend to all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Acquisition of land and buildings for embassies and legations in foreign countries.
2. Boundaries of the United States.
3. Diplomatic service.
4. Foreign economic, military, technical, and humanitarian assistance.
5. Foreign loans.
6. International activities of the American National Red Cross and the International Committee of the Red Cross.
7. International aspects of nuclear energy, including nuclear transfer policy.
8. International conferences and congresses.
9. International law as it relates to foreign policy.
10. International Monetary Fund and other international organizations established primarily for international monetary purposes (except that, at the request of the Committee on Banking, Housing, and Urban Affairs, any proposed legislation relating to such subjects reported by the Committee on Foreign Relations shall be referred to the Committee on Banking, Housing, and Urban Affairs).
11. Intervention abroad and declarations of war.
12. Measures to foster commercial intercourse with foreign nations and to safeguard American business interests abroad.
13. National security and international aspects of trusteeships of the United States.
14. Ocean and international environmental and scientific affairs as they relate to foreign policy.
15. Protection of United States citizens abroad and expatriation.
16. Relations of the United States with foreign nations generally.
17. Treaties and executive agreements, except reciprocal trade agreements.
18. United Nations and its affiliated organizations.
19. World Bank group, the regional development banks, and other international organizations established primarily for development assistance purposes.

The committee is also mandated by Senate Rule XXV.1(j)(2) to study and review, on a comprehensive basis, matters relating to the national security policy, foreign policy, and international economic policy as it relates to foreign policy of the United States, and matters relating to food, hunger, and nutrition in foreign countries, and report thereon from time to time.

(b) *Oversight*.—The committee also has a responsibility under Senate Rule XXV1.8(a)(2), which provides that ''. . . . each standing committee . . . shall review and study, on a continuing basis, the application, administration, and execution of those laws or parts of laws, the subject matter of which is within the jurisdiction of the committee.''

(c) *''Advice and Consent'' Clauses*.—The committee has a special responsibility to assist the Senate in its constitutional function of providing ''advice and consent'' to all treaties entered into by the United States and all nominations to the principal executive branch positions in the field of foreign policy and diplomacy.

RULE 2—SUBCOMMITTEES

(a) *Creation*.—Unless otherwise authorized by law or Senate resolution, subcommittees shall be created by majority vote of the committee and shall deal with such legislation and oversight of programs and policies as the committee directs. Legislative measures or other matters may be referred to a subcommittee for consideration in the discretion of the chairman or by vote of a majority of the committee. If the principal subject matter of a measure or matter to be referred falls within the jurisdiction of more than one subcommittee, the chairman or the committee may refer the matter to two or more subcommittees for joint consideration.

(b) *Assignments*.—Assignments of members to subcommittees shall be made in an equitable fashion. No member of the committee may receive assignment to a second subcommittee until, in order of seniority, all members of the committee have chosen assignments to one subcommittee, and no member shall receive assignments to a third subcommittee until, in order of seniority, all members have chosen assignments to two subcommittees.

No member of the committee may serve on more than four subcommittees at any one time.

The chairman and ranking member of the committee shall be *ex officio* members, without vote, of each subcommittee.

(c) *Hearings*.—Except when funds have been specifically made available by the Senate for a subcommittee purpose, no subcommittee of the Committee on Foreign Relations shall hold hearings involving expenses without prior approval of the chairman of the full committee or by decision of the full committee. Hearings of subcommittees shall be scheduled after consultation with the chairman of the committee with a view toward avoiding conflicts with hearings of other subcommittees insofar as possible. Hearings of subcommittees shall not be scheduled to conflict with meetings or hearings of the full committee.

The proceedings of each subcommittee shall be governed by the rules of the full committee, subject to such authorizations or limitations as the committee may from time to time prescribe.

RULE 3—MEETINGS AND HEARINGS

(a) *Regular Meeting Day*.—The regular meeting day of the Committee on Foreign Relations for the transaction of committee business shall be on Wednesday of each week, unless otherwise directed by the chairman.

(b) *Additional Meetings and Hearings*.—Additional meetings and hearings of the committee may be called by the chairman as he may deem necessary. If at least three members of the committee desire that a special meeting of the committee be called by the chairman, those members may file in the offices of the committee their written request to the chairman for that special meeting. Immediately upon filing of the request, the chief clerk of the committee shall notify the chairman of the filing of the request. If, within three calendar days after the filing of the request, the chairman does not call the requested special meeting, to be held within seven calendar days after the filing of the request, a majority of the members of the committee may file in the offices of the committee their written notice that a special meeting of the committee will be held, specifying the date and hour of that special meeting. The committee shall meet on that date and hour. Immediately upon the filing of the notice, the clerk shall notify all members of the committee that such special meeting will be held and inform them of its date and hour.

(c) *Hearings, Selection of Witnesses*.—To ensure that the issue which is the subject of the hearing is presented as fully and fairly as possible, whenever a hearing is conducted by the committee or a subcommittee upon any measure or matter, the ranking member of the committee or subcommittee may select and call an equal number of non-governmental witnesses to testify at that hearing.

(d) *Public Announcement*.—The committee, or any subcommittee thereof, shall make public announcement of the date, place, time, and subject matter of any meeting or hearing to be conducted on any measure or matter at least seven calendar days in advance of such meetings or hearings, unless the chairman of the committee, or subcommittee, in consultation with the ranking member, determines that there is good cause to begin such meeting or hearing at an earlier date.

(e) *Procedure*.—Insofar as possible, proceedings of the committee will be conducted without resort to the formalities of parliamentary procedure and with due regard for the views of all members. Issues of procedure which may arise from time to time shall be resolved by decision of the chairman, in consultation with the ranking member. The chairman, in consultation with the ranking member, may also propose special procedures to govern the consideration of particular matters by the committee.

(f) *Closed Sessions*.—Each meeting and hearing of the Committee on Foreign Relations, or any subcommittee thereof shall be open to the public, except that a meeting or hearing or series of meetings or hearings by the committee or a subcommittee on the same subject for a period of no more than 14 calendar days may be closed to the public on a motion made and seconded to go into closed session to discuss only whether the matters enumerated in paragraphs (1) through (6) would require the meeting or hearing to be closed followed immediately by a record vote in open session by a majority of the members of the committee or subcommittee when it is determined that the matters to be discussed or the testimony to be taken at such meeting or hearing or series of meetings or hearings—

(1) will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of the foreign relations of the United States;

(2) will relate solely to matters of committee staff personnel or internal staff management or procedure;

(3) will tend to charge an individual with crime or misconduct; to disgrace or injure the professional standing of an individual, or otherwise to expose an individual to public contempt or obloquy, or will represent a clearly unwarranted invasion of the privacy of an individual;

(4) will disclose the identity of any informer or law enforcement agent or will disclose any information relating to the investigation or prosecution of a criminal offense that is required to be kept secret in the interests of effective law enforcement;

(5) will disclose information relating to the trade secrets or financial or commercial information pertaining specifically to a given person if—

(A) an Act of Congress requires the information to be kept confidential by government officers and employees; or

(B) the information has been obtained by the government on a confidential basis, other than through an application by such person for a specific government financial or other benefit, and is required to be kept secret in order to prevent undue injury to the competitive position of such person, or

(6) may divulge matters required to be kept confidential under other provisions of law or government regulations.

A closed meeting or hearing may be opened by a majority vote of the committee.

(g) *Staff Attendance.*—A member of the committee may have one member of his or her personal staff, for whom that member assumes personal responsibility, accompany and be seated nearby at committee meetings and hearings. The chairman or ranking member may authorize the attendance and seating of such a staff member at committee meetings and hearings where the member of the committee is not present.

Each member of the committee may designate members of his or her personal staff for whom that member assumes personal responsibility, who holds, at a minimum, a top secret security clearance, for the purpose of their eligibility to attend closed sessions of the committee, subject to the same conditions set forth for committee staff under Rules 12, 13, and 14.

In addition, the majority leader and the minority leader of the Senate, if they are not otherwise members of the committee, may designate one member of their staff for whom that leader assumes personal responsibility and who holds, at a minimum, a top secret security clearance, to attend closed sessions of the committee, subject to the same conditions set forth for committee staff under Rules 12, 13, and 14.

Staff of other Senators who are not members of the committee may not attend closed sessions of the committee.

Attendance of committee staff at meetings and hearings shall be limited to those designated by the staff director or the minority staff director.

The committee, by majority vote, or the chairman, with the concurrence of the ranking member, may limit staff attendance at specified meetings or hearings.

RULE 4—QUORUMS

(a) *Testimony.*—For the purpose of taking sworn or unsworn testimony at any duly scheduled meeting a quorum of the committee and each subcommittee thereof shall consist of one member of such committee or subcommittee.

(b) *Business.*—A quorum for the transaction of committee or subcommittee business, other than for reporting a measure or recommendation to the Senate or the taking of testimony, shall consist of one-third of the members of the committee or subcommittee, including at least one member from each party.

(c) *Reporting.*—A majority of the membership of the committee, including at least one member from each party, shall constitute a quorum for reporting any measure or recommendation to the Senate. No measure or recommendation shall be ordered reported from the committee unless a majority of the committee members is physically present, including at least one member from each party, and a majority of those present concurs.

RULE 5—PROXIES

Proxies must be in writing with the signature of the absent member. Subject to the requirements of Rule 4 for the physical presence of a quorum to report a matter, proxy voting shall be allowed on all measures and matters before the committee. However, proxies shall not be voted on a measure or matter except when the absent member has been informed of the matter on which he is being recorded and has affirmatively requested that he or she be so recorded.

RULE 6—WITNESSES

(a) *General.*—The Committee on Foreign Relations will consider requests to testify on any matter or measure pending before the committee.

(b) *Presentation.*—If the chairman so determines, the oral presentation of witnesses shall be limited to 10 minutes. However, written statements of reasonable length may be submitted by witnesses and other interested persons who are unable to testify in person.

(c) *Filing of Statements.*—A witness appearing before the committee, or any subcommittee thereof, shall submit an electronic copy of the written statement of his proposed testimony at least 24 hours prior to his appearance, unless this requirement is waived by the chairman and the ranking member following their determination that there is good cause for failure to file such a statement.

(d) *Expenses.*—Only the chairman may authorize expenditures of funds for the expenses of witnesses appearing before the committee or its subcommittees.

(e) *Requests.*—Any witness called for a hearing may submit a written request to the chairman no later than 24 hours in advance for his testimony to be in closed or open session, or for any other unusual procedure. The chairman shall determine whether to grant any such request and shall notify the committee members of the request and of his decision.

RULE 7—SUBPOENAS

(a) *Authorization.*—The chairman or any other member of the committee, when authorized by a majority vote of the committee at a meeting or by proxies, shall have authority to subpoena the attendance of witnesses or the production of memoranda, documents, records, or any other materials. At the request of any member of the committee, the committee shall authorize the issuance of a subpoena only at a meeting of the committee. When the committee authorizes a subpoena, it may be issued upon the signature of the chairman or any other member designated by the committee.

(b) *Return.*—A subpoena, or a request to an agency, for documents may be issued whose return shall occur at a time and place other than that of a scheduled committee meeting. A return on such a subpoena or request which is incomplete or accompanied by an objection constitutes good cause for a hearing on shortened notice. Upon such a return, the chairman or any other member designated by him may convene a hearing by giving 4 hours notice by telephone or electronic mail to all other members. One member shall constitute a quorum for such a hearing. The sole purpose of such a hearing shall be to elucidate further information about the return and to rule on the objection.

(c) *Depositions.*—At the direction of the committee, staff is authorized to take depositions from witnesses.

RULE 8—REPORTS

(a) *Filing.*—When the committee has ordered a measure or recommendation reported, the report thereon shall be filed in the Senate at the earliest practicable time.

(b) *Supplemental, Minority and Additional Views.*—A member of the committee who gives notice of his intentions to file supplemental, minority, or additional views at the time of final committee approval of a measure or matter, shall be entitled to not less than 3 calendar days in which to file such views, in writing (including by electronic mail), with the chief clerk of the committee, with the 3 days to begin at 11:00 p.m. on the same day that the committee has ordered a measure or matter reported. Such views shall then be included in the committee report and printed in the same volume, as a part thereof, and their inclusion shall be noted on the cover of the report. In the absence of timely notice, the committee report may be filed and printed immediately without such views.

(c) *Roll Call Votes.*—The results of all roll call votes taken in any meeting of the committee on any measure, or amendment thereto, shall be announced in the committee report. The announcement shall include a tabulation of the votes cast in favor and votes cast in opposition to each such measure and amendment by each member of the committee.

RULE 9—TREATIES

(a) *General.*—The committee is the only committee of the Senate with jurisdiction to review and report to the Senate on treaties submitted by the President for Senate advice and consent to ratification. Because the House of Representatives has no role in the approval of treaties, the committee is therefore the only congressional committee with responsibility for treaties.

(b) *Committee Proceedings.*—Once submitted by the President for advice and consent, each treaty is referred to the committee and remains on its calendar from Congress to Congress until the committee takes action to report it to the Senate or recommend its return to the President, or until the committee is discharged of the treaty by the Senate.

(c) *Floor Proceedings.*—In accordance with Senate Rule XXX.2, treaties which have been reported to the Senate but not acted on before the end of a Congress ''shall be resumed at the commencement of the next Congress as if no proceedings had previously been had thereon.''

(d) *Hearings.*—Insofar as possible, the committee should conduct a public hearing on each treaty as soon as possible after its submission by the President. Except in extraordinary circumstances, treaties reported to the Senate shall be accompanied by a written report.

RULE 10—NOMINATIONS

(a) *Waiting Requirement.*—Unless otherwise directed by the chairman and the ranking member, the Committee on Foreign Relations shall not consider any nomination until 5 business days after it has been formally submitted to the Senate.

(b) *Public Consideration.*—Nominees for any post who are invited to appear before the committee shall be heard in public session, unless a majority of the committee decrees otherwise, consistent with Rule 3(f).

(c) *Required Data.*—No nomination shall be reported to the Senate unless (1) the nominee has been accorded a security clearance on the basis of a thorough investigation by executive branch agencies; (2) the nominee has filed a financial disclosure report and a related ethics undertaking with the committee; (3) the committee has been assured that the nominee does not have any interests which could conflict with the interests of the government in the exercise of the nominee's proposed responsibilities; (4) for persons nominated to be chief of mission, ambassador-at-large, or minister, the committee has received a complete list of any contributions made by the nominee or members of his immediate family to any Federal election campaign during the year of his or her nomination and for the 4 preceding years; (5) for persons nominated to be chiefs of mission, the report required by Section 304(a)(4) of the Foreign Service Act of 1980 on the demonstrated competence of that nominee to perform the duties of the position to which he or she has been nominated; and (6) the nominee has provided the committee with a signed and notarized copy of the committee questionnaire for executive branch nominees.

RULE 11—TRAVEL

(a) *Foreign Travel.*—No member of the Committee on Foreign Relations or its staff shall travel abroad on committee business unless specifically authorized by the chairman, who

is required by law to approve vouchers and report expenditures of foreign currencies, and the ranking member. Requests for authorization of such travel shall state the purpose and, when completed, a full substantive and financial report shall be filed with the committee within 30 days. This report shall be furnished to all members of the committee and shall not be otherwise disseminated without authorization of the chairman and the ranking member. Except in extraordinary circumstances, staff travel shall not be approved unless the reporting requirements have been fulfilled for all prior trips. Except for travel that is strictly personal, travel funded by non-U.S. Government sources is subject to the same approval and substantive reporting requirements as U.S. Government-funded travel. In addition, members and staff are reminded to consult the Senate Code of Conduct, and, as appropriate, the Senate Select Committee on Ethics, in the case of travel sponsored by non-U.S. Government sources.

Any proposed travel by committee staff for a subcommittee purpose must be approved by the subcommittee chairman and ranking member prior to submission of the request to the chairman and ranking member of the full committee.

(b) *Domestic Travel*.—All official travel in the United States by the committee staff shall be approved in advance by the staff director, or in the case of minority staff, by the minority staff director.

(c) *Personal Staff Travel*.—As a general rule, no more than one member of the personal staff of a member of the committee may travel with that member with the approval of the chairman and the ranking member of the committee. During such travel, the personal staff member shall be considered to be an employee of the committee.

(d) *PRM Trauel*.—For the purposes of this rule regarding staff foreign travel, the officially-designated personal representative of the member pursuant to rule 14(b), shall be deemed to have the same rights, duties, and responsibilities as members of the staff of the Committee on Foreign Relations.

RULE 12—TRANSCRIPTS AND MATERIALS PROVIDED TO THE COMMITTEE

(a) *General*.—The Committee on Foreign Relations shall keep verbatim transcripts of all committee and subcommittee meetings and hearings and such transcripts shall remain in the custody of the committee, unless a majority of the committee decides otherwise. Transcripts of public hearings by the committee shall be published unless the chairman, with the concurrence of the ranking member, determines otherwise.

The committee, through the chief clerk, shall also maintain at least one copy of all materials provided to the committee by the Executive Branch; such copy shall remain in the custody of the committee and be subject to the committee's rules and procedures, including those rules and procedures applicable to the handling of classified materials.

Such transcripts and materials shall be made available to all members of the committee, committee staff, and designated personal representatives of members of the committee, except as otherwise provided in these rules.

(b) *Classified or Restricted Transcripts or Materials*.—

(1) The chief clerk of the committee shall have responsibility for the maintenance and security of classified or restricted transcripts or materials, and shall ensure that such transcripts or materials are handled in a manner consistent with the requirements of the United States Senate Security Manual.

(2) A record shall be maintained of each use of classified or restricted transcripts or materials as required by the Senate Security Manual.

(3) Classified transcripts or materials may not leave the committee offices, or SVC–217 of the Capitol Visitors Center, except for the purpose of declassification or archiving, consistent with these rules.

(4) Extreme care shall be exercised to avoid taking notes or quotes from classified transcripts or materials. Their contents may not be divulged to any unauthorized person.

(5) Subject to any additional restrictions imposed by the chairman with the concurrence of the ranking member, only the following persons are authorized to have access to classified or restricted transcripts or materials:

(A) Members and staff of the committee in the committee offices or in SVC–217 of the Capitol Visitors Center;

(B) Designated personal representatives of members of the committee, and of the majority and minority leaders, with appropriate security clearances, in the committee offices or in SVC–217 of the Capitol Visitors Center;

(C) Senators not members of the committee, by permission of the chairman, in the committee offices or in SVC–217 of the Capitol Visitors Center; and

(D) Officials of the executive departments involved in the meeting, hearing, or matter, with authorization of the chairman, in the committee offices or SVC–217 of the Capitol Visitors Center.

(6) Any restrictions imposed by the committee upon access to a meeting or hearing of the committee shall also apply to the transcript of such meeting, except by special permission of the chairman and ranking member.

(7) In addition to restrictions resulting from the inclusion of any classified information in the transcript of a committee meeting or hearing, members and staff shall not discuss with anyone the proceedings of the committee in closed session or reveal information conveyed or discussed in such a session unless that person would have been permitted to attend the session itself or is a member or staff of a relevant committee or executive branch agency and possess an appropriate security clearance, or unless such communication is specifically authorized by the chairman, the ranking member, or in the case of staff, by the staff director or minority staff director. A record shall be kept of all such authorizations.

(c) *Declassification*.—

(1) All noncurrent records of the committee are governed by Rule XI of the Standing Rules of the Senate and by S. Res. 474 (96th Congress). Any classified transcripts or materials transferred to the National Archives and Records Administration under Rule XI may not be made available for public use unless they have been subject to declassification review in accordance with applicable laws or Executive orders.

(2) Any transcript or classified committee report, or any portion thereof, may be declassified, in accordance with applicable laws or Executive orders, sooner than the time period provided for under S. Res. 474 if:

(A) the chairman originates such action, with the concurrence of the ranking member;

(B) the other current members of the committee who participated in such meeting or report have been notified of the proposed declassification, and have not objected thereto, except that the committee by majority vote may overrule any objections thereby raised to early declassification; and

(C) the executive departments that participated in the meeting or originated the classified information have been consulted regarding the declassification.

RULE 13—CLASSIFIED INFORMATION

(a) *General*.—The handling of classified information in the Senate is governed by S. Res. 243 (100th Congress), which established the Office of Senate Security. All handling of classified information by the committee shall be consistent with the procedures set forth in the United States Senate Security Manual issued by the Office of Senate Security.

(b) *Security Manager*.—The chief clerk is the security manager for the committee. The chief clerk shall be responsible for implementing the provisions of the Senate Security Manual and for serv- ing as the committee liaison to the Office of Senate Security. The staff director, in consultation with the minority staff director, may appoint an alternate security manager as circumstances warrant.

(c) *Transportation of Classified Material*.—Classified material may only be transported between Senate offices by appropriately cleared staff members who have been specifically authorized to do so by the security manager.

(d) *Access to Classified Material*.—In general, Senators and staff undertake to confine their access to classified information on the basis of a ''need to know'' such information related to their committee responsibilities.

(e) *Staff Clearances*.—The chairman, or, in the case of minority staff, the ranking member, shall designate the members of the committee staff whose assignments require access to classified and compartmented information and shall seek to obtain the requisite security clearances pursuant to Office of Senate Security procedures.

(f) *PRM Clearances*.—For the purposes of this rule regarding security clearances and access to compartmented information, the officially-designated personal representative of the member (PRM) pursuant to rule 14(b), shall be deemed to have the same rights, duties, and responsibilities as members of the staff of the Committee on Foreign Relations.

(g) *Regulations*.—The staff director is authorized to make such administrative regulations as may be necessary to carry out the provisions of this rule.

RULE 14—STAFF

(a) *Responsibilities*.—

(1) The staff works for the committee as a whole, under the general supervision of the chairman of the committee, and the immediate direction of the staff director, except that such part of the staff as is designated minority staff shall be under the general supervision of the ranking member and under the immediate direction of the minority staff director.

(2) Any member of the committee should feel free to call upon the staff at any time for assistance in connection with committee business. Members of the Senate not members of the committee who call upon the staff for assistance from time to time should be given assistance subject to the overriding responsibility of the staff to the committee.

(3) The staff's primary responsibility is with respect to bills, resolutions, treaties, and nominations and other matters within the jurisdiction of the committee. In addition to carrying out assignments from the committee and its individual members, the staff has a responsibility to originate suggestions for committee or subcommittee consideration. The staff also has a responsibility to make suggestions to individual members regarding matters of special interest to such members.

(4) It is part of the staff's duty to keep itself as well informed as possible in regard to developments affecting foreign relations and national security and in regard to the administration of foreign programs of the United States. Significant trends or developments which might otherwise escape notice should be called to the attention of the committee, or of individual Senators with particular interests.

(5) The staff shall pay due regard to the constitutional separation of powers between the Senate and the executive branch. It therefore has a responsibility to help the committee bring to bear an independent, objective judgment of proposals by the executive branch and when appropriate to originate sound proposals of its own. At the same time, the staff shall avoid impinging upon the day-to-day conduct of foreign affairs.

(6) In those instances when committee action requires the expression of minority views, the staff shall assist the minority as fully as the majority to the end that all points of view may be fully considered by members of the committee and of the Senate. The staff shall bear in mind that under our constitutional system it is the responsibility of the elected members of the Senate to determine legislative issues in the light of as full and fair a presentation of the facts as the staff may be able to obtain.

(b) *Personal Representatives of the Member (PRM).*—Each Senator on the committee shall be authorized to designate one personal staff member as the member's personal representative of the member and designee to the committee (PRM) that shall be deemed to have the same rights, duties, and responsibilities as members of the staff of the Committee on Foreign Relations where specifically provided for in these rules.

(c) *Restrictions.*—

(1) The staff shall regard its relationship to the committee as a privileged one, in the nature of the relationship of a lawyer to a client. In order to protect this relationship and the mutual confidence which must prevail if the committee-staff relationship is to be a satisfactory and fruitful one, the following criteria shall apply, unless staff has consulted with and obtained, as appropriate, the approval of the Senate Ethics Committee and advance permission from the staff director (or the minority staff director in the case of minority staff):

(A) members of the staff shall not be identified with any special interest group in the field of foreign relations or allow their names to be used by any such group; and

(B) members of the staff shall not accept public speaking engagements or write for publication in the field of foreign relations.

(2) The staff shall not discuss their private conversations with members of the committee without specific advance permission from the Senator or Senators concerned.

(3) The staff shall not discuss with anyone the proceedings of the committee in closed session or reveal information conveyed or discussed in such a session unless that person would have been permitted to attend the session itself or is a member or staff of a relevant committee or executive branch agency and possesses an appropriate security clearance, or unless such communication is specifically authorized by the staff director or minority staff director. Unauthorized disclosure of information from a closed session or of classified information shall be cause for immediate dismissal and may, in certain cases, be grounds for criminal prosecution.

RULE 15—STATUS AND AMENDMENT OF RULES

(a) *Status.*—In addition to the foregoing, the Committee on Foreign Relations is governed by the Standing Rules of the Senate, which shall take precedence in the event of a clear inconsistency. In addition, the jurisdiction and responsibilities of the committee with respect to certain matters, as well as the timing and procedure for their consideration in committee, may be governed by statute.

(b) *Amendment.*—These rules may be modified, amended, or repealed by a majority of the committee, provided that a notice in writing (including by electronic mail) of the proposed change has been given to each member at least 72 hours prior to the meeting at which action thereon is to be taken. However, rules of the committee which are based upon Senate rules may not be superseded by committee vote alone.

THE ARMENIAN GENOCIDE

Mrs. BLACKBURN. Madam President, 108 years ago on April 24, 1915, Ottoman Turkey began the systematic killing and deportation of Armenian intellectuals and community leaders in Constantinople. Between 1915 and 1923, an estimated 1-and-a-half million Armenians fell victim to one of history's most ruthless and notorious genocides. Most who survived eventually emigrated to different parts of the world, forming a widespread diaspora. The American people have a proud history of recognizing and condemning the Armenian genocide and have provided relief and a new home to many of the Armenians, Greeks, Assyrians, Chaldeans, Syriacs, Arameans, Maronites, and other Christians who survived this campaign of mass extermination. Today, Armenian Americans are a vital part of the cultural fabric of the United States.

As we commemorate this dark period, I would encourage my colleagues to remember that atrocities like the Armenian genocide are almost never spontaneous events. They typically follow a period of human rights violations, discrimination, and violence against specific groups who often share a racial, ethnic, religious, or social identity. Most recently, we have seen this in the Chinese Communist Party's inhumane treatment of ethnic minorities, including the persecution of Uyghurs, Tibetans, and Mongolians and dissenters in Hong Kong, Macau, Taiwan, and further abroad. Our foreign policy should recognize this, fight denialism of past and current crimes, and emphasize the preservation of human rights rather than relying on eleventh hour action that comes far too late for vulnerable populations.

On behalf of all Tennesseans, I offer this solemn recognition of the Armenian genocide and ask my colleagues to join me in pledging to fight the forces of evil still causing so much pain and suffering around the globe.

FAITH MONTH

Mrs. HYDE-SMITH. Madam President, Americans across the country, led by Concerned Women for America, the Nation's largest public policy organization for women, and other faith-based organizations continue to celebrate April as Faith Month. I commend this noble effort calling all people of faith to join in prayer, thanksgiving, and celebration of their faith.

The United States of America was born of the unanimous Declaration that we are ''endowed by [our] Creator with certain unalienable Rights,'' based on ''the Laws of Nature and of Nature's God,'' ''appealing to the Supreme Judge of the world,'' and acknowledging our ''reliance on the protection of divine Providence.'' We are a people of faith, which is why religious freedom is known as America's first freedom, as laid out in the Establishment and the Free Exercise Clauses of the First Amendment to the U.S. Constitution. The freedom of speech is guaranteed by the First Amendment and also supports America's unique focus on freedom of expression, including in matters of faith.

America's Judeo-Christian founding promotes religious diversity and tolerance. Our motto, ''In God We Trust,'' further emphasizes the importance of faith in our Nation's founding. From our first President to the last, we have always acknowledged America's faith. President George Washington recognized ''it is the duty of all Nations to acknowledge the providence of Almighty God, to obey His will, to be grateful for His benefits, and humbly to implore His protection and favor.''

Preserving our religious freedom, which strengthens our country's appreciation of all peoples, regardless of faith, requires eternal diligence. Sadly, attacks on religious liberty and people of faith are growing, with some religious charities forced to betray the tenets of their faith in order to participate in certain government programs. We must actively reject all efforts to criminalize or cancel religious beliefs as somehow incompatible with our democracy.

Religious organizations in America have a rich history of charitable engagement by helping the sick, poor, and afflicted. Their presence in my State of Mississippi following devastating and fatal tornadoes in March has been a blessing to those trying to rebuild their lives. Their service demonstrates why these organizations should be celebrated, not maligned, for their contributions to improve life. According to the Pew Research Center, more than 75 percent of Americans practice some type of religious faith. This rich, diverse religious heritage is to our credit and should be encouraged.

This Faith Month, I join millions of Americans in honoring the right to practice our faith freely and openly, with public displays and celebrations, including prayer and expressions of thanksgiving. In this manner, we reaffirm our commitment to the religious liberty principles of our founding.

TRIBUTE TO ALAN KOHLER

Mr. WARNER. Madam President, I rise today in recognition of the retirement of Alan Kohler.

Alan leaves the FBI as Assistant Director of the Counterintelligence Division, a challenging post he has held since 2020. Over his long and impressive career with the FBI, Alan has continuously worked on our most pressing national security issues. It is a career that has truly lived up to the FBI's

motto of ''Fidelity, Bravery, and Integrity.''

As part of its history, the Senate Intelligence Committee has worked to ensure the intelligence community works seamlessly across its many Agencies and with our allies to protect Americans. That is a goal Alan Kohler committed his life's work to, whether he was serving overseas as legal attache in the United Kingdom to coordinate efforts with our closest ally or developing new means of integrating and cooperating across Agencies like the Counterintelligence Task Force he established during his time as Assistant Director, his accomplishments have inspired junior agents and personnel to break through Agency stovepipes in defense of our Nation.

Alan's faithful service to the Bureau spanned three decades, through some of our Nation's darkest days. He joined the FBI in 1996 and was assigned to work counterintelligence cases in the Washington field office, right in the wake of and in the midst of some of the most damaging espionage cases the U.S. has faced. In the days after the attacks on September 11, Alan bravely served on the evidence recovery team at the Pentagon in Arlington, VA.

After transferring to the New York field office in 2006, Alan Kohler worked cases that led to the arrest of 10 Russian illegals in 2010, earning the Attorney General Award for Exceptional Service and changing the way Americans understood the intelligence activities of our adversaries. He was also fortunate enough to be assigned as assistant special agent in charge of the Norfolk field office where he was responsible for all of the FBI's counterintelligence, counterterrorism, and crisis management programs for that community.

In 2017, after Russia's unprecedented interference in our elections, Alan established the FBI's Foreign Influence Task Force, an entity we on the Senate Intelligence Committee continue to rely on to collect on and report threats to the very foundation of our democracy.

As chairman of the Intelligence Committee, I have relied on Alan's integrity to provide the committee with honest and timely information, even when it was not easy for him to do. He consistently demonstrated professionalism in all our engagements and modeled a constructive relationship between the executive and legislative branches. It was a professionalism born of his commitment to safeguard our Nation. I am certain Alan will find ways to continue to serve as he enjoys his very well-earned retirement. I would also like to recognize his family who has supported him throughout his tremendous career.

RECOGNIZING THE CASPER AREA CHAMBER OF COMMERCE

Mr. BARRASSO. Madam President, I rise today to celebrate 120 years of continued community service by the Casper Area Chamber of Commerce of Wyoming.

For 120 years, our city has grown and flourished, due in many ways to the efforts of the Casper Area Chamber. The chamber aims to provide organizational structure to build a better Natrona County and to improve opportunities for all businesses in the community. The chamber was founded in 1903 as the Casper Industrial Association by Alfred James Mokler, then publisher of the Natrona County Tribune. A small number of businesses banded together to create the association. Some of their early goals were to pave the streets, install a water and sewer system, and to construct public parks, a courthouse, a city hall, a Federal building, and a railway. All of these goals were realized. Today, the chamber has over 600 members and continues to grow each year. The mission now is the same as it was 120 years ago, to actively create business opportunities by ''connecting, informing, leveraging, and collaborating with their members.''

After the first World War, the Casper Industrial Association reorganized and became the Casper Area Chamber of Commerce. At that time, just over 11,000 people were living in Casper and 14,000 in Natrona County. During the 1930s, the chamber was a key player in the construction of a north-to-south rail line from Montana to Colorado by the Wyoming-Montana Railroad Company. The chamber also ensured that freight rates were competitive. This allowed local industry to bring in new services and hire competitively. During the 1960s, the chamber worked to make Casper the convention center of Wyoming. They held over 100 conventions, attracting over 20,000 visitors.

Progress continued into the 1980s when the chamber designed the Leadership Casper program, organized legislative luncheons, and created professional networking opportunities. During the 2000s, the chamber focused on developing the west side of Casper. The first ''Shop Local'' campaign was established. In 2020, the chamber was instrumental in connecting businesses with the Federal funding they needed to stay open through the worst of the COVID–19 pandemic.

The Casper Area Chamber of Commerce is part of a long and rich local history. It was instrumental in moving Natrona County forward. Their positive influence over the past 120 years can be seen today in our thriving community.

The Casper Area Chamber of Commerce is the foundation on which the economy of Casper is built. They work hard to maintain a prosperous business environment. This ensures the longevity of tourism, industry, and small businesses.

In Wyoming, we value community, leadership, and service. The Casper Area Chamber of Commerce puts these values into practice. As board chair, Sabrina Kemper said, ''Without commerce, our community cannot thrive.''

Today, the Chamber Staff and Board of Directors include:

Staff
Tina Hoebelheinrich, Executive Director
Sabrina Kemper, Board Chairman
Katie Schultz, Past-Chairman
Phillip Rael, Board Member
Gena Jensen, Chairman-Elect
Amanda Disney, Treasurer
Jereca Lutz, VP of Development
Kim Coleman, VP of Marketing and Communication
Darcie Holscher, VP of Special Events
Officers
Ken White
Nikki Hawley
Robert Ratliff
Tom McCarthy
Bryant Hall
Michael Morrissey
Paul Nash
Sonya Gruner

It is an honor for me to rise in recognition of this significant milestone for the Casper Area Chamber of Commerce of Wyoming. The impact and opportunities the chamber has created for Casper businesses is incredible. Bobbi joins me in extending our congratulations to the Casper Area Chamber of Commerce for 120 years of community service.

ADDITIONAL STATEMENTS

REMEMBERING PASQUALE ''PAT'' BATTINELLI, JR.

• Mr. BLUMENTHAL. Madam President, I rise today with a heavy heart to pay tribute to Pasquale ''Pat'' Battinelli, Jr., a lifelong Connecticut resident, distinguished veteran, and friend to many. Sadly, Mr. Battinelli passed away on April 6, 2023, at the age of 90. He will be remembered for his steadfast dedication to his country and community.

Pat was born in Darien before moving to Stamford as a young boy. There, he met the love of his life, Gloria Fabrizio, at the age of 13. After graduating from Stamford High School, Pat enlisted in the U.S. Marine Corps. Stationed in the Philippines during the Korean war, Pat served honorably for 4 years. In 1954, after completing his service, he returned to Stamford where he married Gloria. The couple were married for 68 years and raised four children.

In addition to his military service, Pat had a distinguished record of giving back to Stamford and our State. As chief of the Glenbrook Fire Department and commander of the Lock City Detachment of the Marine Corps League, as well as an active member of the Knights of Columbus, Pat has demonstrated a lifelong dedication to community service. I personally saw Pat at work in all these positions, but also very importantly as leader of Stamford's Patriotic and Special Events Commission for over 30 years. In this role, he was in charge of every parade Stamford held during his tenure, a testament to Pat's civic mindedness and patriotism.

Pat was an inspiration to veterans and a shining example of good citizenship. I was privileged to know Pat and count him as a friend. He was selfless, loyal, and unstinting in his commitment to helping others—a true patriot. My wife Cynthia and I extend our deepest sympathies to Pat's family during this difficult time, particularly to his wife Gloria, his four children, and his many grandchildren and great-grandchildren. I hope my colleagues will join me in honoring Pat's life and legacy.●

TRIBUTE TO GEORGE FENNEL

● Mr. SCOTT of South Carolina. Madam President, as the junior Senator from South Carolina, it is my pleasure to honor George Fennell, who was inducted into the South Carolina Business Hall of Fame. George became interested in solid waste disposal after a 6-year stint with Milliken & Company in Greenville, SC. In 1972, George returned to his hometown of Walterboro and began impacting the waste-hauling industry.

Mr. Fennell's drive for excellence pushed him to innovate and gave him a vision for the future of his business. The Colleton Environmental Services, later renamed the Fennell Container Company, was initially created by George and his wife Sandra, who built the modest business from a barn on a dirt lot to the largest privately owned waste management company in South Carolina. His entrepreneurial spirit paved the way to his American dream and has motivated his family, friends, and community. When hurricanes devastated South Carolina, George Fennell stepped up to support the American Red Cross' effort to bring the necessary aid to those affected by the storms. This only scratches the surface of who he is and how deeply he cares for his neighbors and friends.

Today, it is my pleasure to recognize Mr. George Fennell and his dedication to making a difference in his community and the lives of those around him. Congratulations on this incredible honor and a distinguished career.●

HONORING OFFICER GARRETT CRUMBY

● Mr. TUBERVILLE. Madam President, today, I want to honor Alabama's own Officer Garrett Crumby who made the ultimate sacrifice last month while responding to a shooting call in Madison County. A graduate of Hillcrest High School in Tuscaloosa, he began his law enforcement career as a patrol and field training officer at the Tuscaloosa Police Department in November of 2013 before transitioning to the Huntsville Police Department in August 2020.

Nicknamed ''Batman'' by his family for his heroic nature, Officer Crumby is remembered as someone whose service to others extended beyond his job. Officer Crumby's sister stated he ''believed that being a police officer meant that anyone in their darkest moments had someone to call, regardless of any race, age, creed, gender, tax bracket or political affiliation. He would answer that call.''

He demonstrated this deep conviction by often showing up for additional assignment calls that were not required of him and volunteering at local events in the community. There was never an ''off-duty'' moment for him; he actively looked for ways that he could help those around him. His fellow officers recalled one instance when he gave someone a ride who was pushing a wheelchair loaded with groceries down a busy road before a big storm.

In 2019, he was named Huntsville Police Department's West Precinct Officer of the Year, a testament to the respect he had already earned from his peers, supervisors, and community during his time with the Tuscaloosa and Huntsville Police Departments.

He is survived by his wife Taylor Campbell Crumby; father William ''Russ'' Crumby; mother Janet Sherman; grandparents James and Sammi Sherman; sisters Jennifer Crumby, Courtney Crumby, and Casey Wright (David); and 10 nieces and nephews.

Alabama is grateful for Officer Crumby's contributions to public safety. We will never be able to repay him for his sacrifice, but we will make sure that he is never forgotten.●

MESSAGE FROM THE HOUSE

At 5:53 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House of Representatives having proceeded to reconsider the resolution (H.J. Res. 27) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of the Army, Corps of Engineers, Department of Defense and the Environmental Protection Agency relating to ''Revised Definition of 'Waters of the United States' '', returned by the President of the United States with his objections, to the House of Representatives, in which it originated, it was resolved, that the said resolution do not pass, two-thirds of the House of Representatives not agreeing to pass the same.

The message also announced that pursuant to 15 U.S.C. 1024(a), and the order of the House of January 9, 2023, the Speaker appoints the following Members on the part of the House of Representatives to the Joint Economic Committee: Mr. SCHWEIKERT of Arizona, Mr. ARRINGTON of Texas, Mr. ESTES of Kansas, Mr. FERGUSON of Georgia, Mr. SMUCKER of Pennsylvania, Ms. MALLIOTAKIS of New York, Mr. BEYER of Virginia, Mr. TRONE of Maryland, Ms. MOORE of Wisconsin, and Ms. PORTER of California.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–965. A communication from the Special Counsel, Office of Special Counsel, transmitting, pursuant to law, the Office's fiscal year 2022 report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act) received in the Office of the President pro tempore; to the Committee on Homeland Security and Governmental Affairs.

EC–966. A communication from the Director, Congressional Affairs and Public Relations, U.S. Trade and Development Agency, transmitting, pursuant to law, the Agency's fiscal year 2022 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act) received in the Office of the President pro tempore; to the Committee on Homeland Security and Governmental Affairs.

EC–967. A communication from the Acting Director, Office of Equal Employment and Workplace Inclusion, United States International Trade Commission, transmitting, pursuant to law, the Commission's fiscal year 2022 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act) received in the Office of the President pro tempore; to the Committee on Homeland Security and Governmental Affairs.

EC–968. A communication from the Deputy Commissioner, Social Security Administration, transmitting, pursuant to law, the Administration's fiscal year 2022 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act) received in the Office of the President pro tempore; to the Committee on Homeland Security and Governmental Affairs.

EC–969. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled ''Scheduling of Annual Leave by Employees Determined Necessary to Respond to Certain National Emergencies'' (RIN3206–AO04) received in the Office of the President of the Senate on April 17, 2023; to the Committee on Homeland Security and Governmental Affairs.

EC–970. A communication from the Agency Director, Court Services and Offender Supervision Agency for the District of Columbia, transmitting, pursuant to law, the Agency's fiscal year 2022 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC–971. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 25–53, ''Hotel Enhanced Cleaning and Notice of Service Disruption Clarification Temporary Amendment Act of 2023''; to the Committee on Homeland Security and Governmental Affairs.

EC–972. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 25–54, ''General Obligation Bonds and Bond Anticipation Notes for Fiscal Years 2023–2028 Authorization Temporary Act of 2023''; to the Committee on Homeland Security and Governmental Affairs.

EC–973. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 25–55, ''Local Business Clarification Temporary Amendment Act of 2023''; to

the Committee on Homeland Security and Governmental Affairs.

EC–974. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 25–64, ''Closing of a Portion of Half Street, S.W., Adjacent to Square 660 Act of 2023''; to the Committee on Homeland Security and Governmental Affairs.

EC–975. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 25–62, ''Protecting Consumers from Unjust Debt Collection Practices Technical Clarification Temporary Amendment Act of 2023''; to the Committee on Homeland Security and Governmental Affairs.

EC–976. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 25–63, ''Medical Cannabis Clarification Temporary Amendment Act of 2023''; to the Committee on Homeland Security and Governmental Affairs.

EC–977. A communication from the Acting Assistant Secretary for Legislative Affairs, Department of Homeland Security, transmitting the first of several legislative proposals that support the President's fiscal year 2024 budget request for the Department of Homeland Security; to the Committee on Homeland Security and Governmental Affairs.

EC–978. A communication from the Chair of the U.S. Nuclear Waste Technical Review Board, transmitting, pursuant to law, the Board's Agency Financial Report for fiscal year 2022; to the Committee on Homeland Security and Governmental Affairs.

EC–979. A communication from the General Counsel, Government Accountability Office, transmitting, pursuant to law, the Office's fiscal year 2022 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act) received in the Office of the President pro tempore; to the Committee on Homeland Security and Governmental Affairs.

EC–980. A communication from the Equal Employment Opportunity and Inclusion Director, Farm Credit System Insurance Corporation, transmitting, pursuant to law, the Farm Credit System Insurance Corporation's fiscal year 2022 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act) received in the Office of the President pro tempore; to the Committee on Homeland Security and Governmental Affairs.

EC–981. A communication from the Equal Employment Opportunity Director, Farm Credit Administration, transmitting, pursuant to law, the Farm Credit Administration's fiscal year 2022 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act) received in the Office of the President pro tempore; to the Committee on Homeland Security and Governmental Affairs.

EC–982. A communication from the President and CEO, Inter-American Foundation, transmitting, pursuant to law, the Foundation's FY22 Annual Performance Report (APR) and FY24 Annual Performance Plan (APP); to the Committee on Homeland Security and Governmental Affairs.

EC–983. A communication from the Acting Solicitor, Federal Labor Relations Authority, transmitting, pursuant to law, a report relative to a vacancy in the position of General Counsel, Federal Labor Relations Authority, received in the Office of the President of the Senate on March 29, 2023; to the Committee on Homeland Security and Governmental Affairs.

EC–984. A communication from the Senior Official Performing the Duties of the Civil Rights and Civil Liberties Officer, Department of Homeland Security, transmitting, pursuant to law, the Department's fiscal year 2022 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act) received in the Office of the President pro tempore; to the Committee on Homeland Security and Governmental Affairs.

EC–985. A communication from the Director, Office of Personnel Management, the President's Pay Agent, transmitting, pursuant to law, an annual report to Congress on agencies' use of student loan repayments as a strategic tool for the purposes of recruitment and retention during calendar year 2020; to the Committee on Homeland Security and Governmental Affairs.

EC–986. A communication from the Director of the Federal Housing Finance Agency, transmitting, pursuant to law, the Agency's fiscal year 2022 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act) received in the Office of the President pro tempore; to the Committee on Homeland Security and Governmental Affairs.

EC–987. A communication from the Chairman, National Credit Union Administration, transmitting, pursuant to law, the National Credit Union Administration's fiscal year 2022 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act) received in the Office of the President pro tempore; to the Committee on Homeland Security and Governmental Affairs.

EC–988. A communication from the President and Chair of the Export-Import Bank, transmitting, pursuant to law, the Bank's fiscal year 2022 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act) received in the Office of the President pro tempore; to the Committee on Homeland Security and Governmental Affairs.

EC–989. A communication from the Director of the Office of Government Ethics, transmitting, pursuant to law, the Office's fiscal year 2024 Congressional Budget Justification, the Annual Performance Plan for fiscal year 2024, and the Annual Performance Report for fiscal year 2022; to the Committee on Homeland Security and Governmental Affairs.

EC–990. A communication from the Deputy Secretary of Defense, transmitting, pursuant to law, the Department's Semiannual Report of the Inspector General for the period from April 1, 2022 through September 30, 2022; to the Committee on Homeland Security and Governmental Affairs.

EC–991. A communication from the Assistant Secretary for Legislative Affairs, Department of Homeland Security, transmitting a legislative proposal entitled ''To transfer administrative jurisdiction over certain parcels of federal land in Harpers Ferry, West Virginia, and for other purposes''; to the Committee on Homeland Security and Governmental Affairs.

EC–992. A communication from the Acting Chairman of the United States Merit Systems Protection Board, transmitting, pursuant to law, the report entitled, ''Perceptions of Prohibited Personnel Practices: An Update''; to the Committee on Homeland Security and Governmental Affairs.

EC–993. A communication from the General Counsel, Office of Personnel Management, transmitting, pursuant to law, the report of a vacancy for the position of Deputy Director, Office of Personnel Management, received in the Office of the President of the Senate on April 17, 2023; to the Committee on Homeland Security and Governmental Affairs.

EC–994. A communication from the General Counsel, Government Accountability Office, transmitting, pursuant to law, the Office's fiscal year 2022 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC–995. A communication from the Assistant Secretary for Legislative Affairs, Department of Homeland Security, transmitting a notice regarding a legislative proposal, that would provide statutory protection for the unauthorized use of the Department of Homeland Security's seal; to the Committee on Homeland Security and Governmental Affairs.

EC–996. A communication from the Assistant Secretary for Legislative Affairs, Department of Homeland Security, transmitting a legislative proposal, which would among other things, grant the Secretary of Homeland Security the authority to accept reimbursable or in-kind contributions for the use of equipment, facilities, or personnel in television or motion picture productions to make the Department of Homeland Security's activities, achievements, and mission more visible to the public through media; to the Committee on Homeland Security and Governmental Affairs.

EC–997. A communication from the Director, Office of Congressional and Legislative Affairs, Department of the Interior, transmitting a legislative proposal that, if enacted, would create a comprehensive, equitable, and modernized compensation structure for the Federal wildland fire management workforce; to the Committee on Homeland Security and Governmental Affairs.

EC–998. A communication from the Director of the Regulatory Secretariat Division, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''General Services Administration Acquisition Regulation (GSAR); Personal Identity Verification Requirements Clause Reference'' (GSAR Case 2022–G521) received in the Office of the President of the Senate on April 17, 2023; to the Committee on Homeland Security and Governmental Affairs.

EC–999. A communication from the Director of Legislative Affairs, Department of Homeland Security, transmitting a legislative proposal entitled ''To establish the Cyber Safety Review Board, and for other purposes''; to the Committee on Homeland Security and Governmental Affairs.

EC–1000. A communication from the Equal Employment Opportunity and Inclusion Director, Farm Credit System Insurance Corporation, transmitting, pursuant to law, the Farm Credit System Insurance Corporation's fiscal year 2022 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC–1001. A communication from the Equal Employment Opportunity Director, Farm Credit Administration, transmitting, pursuant to law, the Farm Credit Administration's fiscal year 2022 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC–1002. A communication from the Secretary to the Board, Railroad Retirement Board, transmitting, pursuant to law, the Board's fiscal year 2022 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC–1003. A communication from the Senior Official Performing the Duties of Chief Financial Officer, Department of Homeland Security, transmitting, pursuant to law, the Annual Performance Plan for fiscal years 2022–2024, and the Annual Performance Report for fiscal years 2022–2024; to the Committee on Homeland Security and Governmental Affairs.

EC–1004. A communication from the Assistant Secretary for Legislative Affairs, Department of the Homeland Security, transmitting, pursuant to law, a report entitled ''Department of Homeland Security Operation Allies Welcome Afghan Parolee and Benefits''; to the Committee on the Judiciary.

EC–1005. A communication from the Assistant General Counsel, Federal Bureau of Prisons, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Office of the Attorney General; Home Confinement Under the Coronavirus Aid, Relief, and Economic Security (CARES) Act'' (RIN1120–AB79) received in the Office of the President of the Senate on April 17, 2023; to the Committee on the Judiciary.

EC–1006. A communication from the Agency Representative, Patent and Trademark Office, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Reducing Patent Fees for Small Entities and Micro Entities Under the Unleashing American Innovators Act of 2022'' (RIN0651–AD66) received in the Office of the President of the Senate on April 17, 2023; to the Committee on the Judiciary.

EC–1007. A communication from the Chief of the Regulatory Coordination Division, Citizenship and Immigration Services, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Implementation of the 2022 Additional Protocol to the 2002 U.S.-Canada Agreement for Cooperation in the Examination of Refugee Status Claims from Nationals of Third Countries'' ((RIN1615–AC84) (RIN1125–AB29)) received in the Office of the President of the Senate on April 17, 2023; to the Committee on the Judiciary.

EC–1008. A communication from the Assistant Secretary for Legislative Affairs, Department of Homeland Security, transmitting the first of several legislative proposals that support the President's Fiscal Year 2024 budget request for the Department of Homeland Security; to the Committee on the Judiciary.

EC–1009. A communication from the Chief of the Regulatory Coordination Division, Citizenship and Immigration Services, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Asylum Interview Interpreter Requirement Modification Due to COVID–19; Extension'' (RIN1615–AC59) received in the Office of the President of the Senate on March 29, 2023; to the Committee on the Judiciary.

EC–1010. A communication from the Secretary, Judicial Conference of the United States, transmitting, pursuant to law, a report entitled ''Report of the Proceedings of the Judicial Conference of the United States'' for the 2022 calendar sessions; to the Committee on the Judiciary.

EC–1011. A communication from the Director, Administrative Office of the United States Courts, transmitting, pursuant to law, two reports entitled, ''2022 Annual Report of the Director of the Administrative Office of the United States Courts'' and ''Judicial Business of the United States Courts''; to the Committee on the Judiciary.

EC–1012. A communication from the Agency Representative, Patent and Trademark Office, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Setting and Adjusting Patent fees During Fiscal Year 2020'' (RIN0651–AD31) received in the Office of the President of the Senate on April 17, 2023; to the Committee on the Judiciary.

EC–1013. A communication from the Senior Advisor, Department of Health and Human Services, transmitting, pursuant to law, a report relative to a vacancy in the position of Commissioner, Administration for Native Americans, Department of Health and Human Services, received in the Office of the President of the Senate on April 17, 2023; to the Committee on Indian Affairs.

EC–1014. A communication from the Attorney-Advisor, Office of General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy in the position of Administrator, Federal Aviation Administration, Department of Transportation, received in the Office of the President of the Senate on April 17, 2023; to the Committee on Commerce, Science, and Transportation.

EC–1015. A communication from the Assistant Secretary for Legislative Affairs, Department of Homeland Security, transmitting a legislative proposal entitled ''Coast Guard Authorization Act for Fiscal Year 2023''; to the Committee on the Judiciary.

EC–1016. A communication from the Chair of the National Transportation Safety Board, transmitting, pursuant to law, a draft bill to reauthorize the National Transportation Safety Board for the next 5 years, through fiscal year 2028; to the Committee on the Judiciary.

EC–1017. A communication from the Assistant Secretary for Legislative Affairs, Department of Homeland Security, transmitting the first of several legislative proposals that support the President's Fiscal Year 2024 budget request for the Department of Homeland Security; to the Committee on Commerce, Science, and Transportation.

EC–1018. A communication from the Chairman, Federal Maritime Commission, transmitting, pursuant to law, the 61st Annual Report of the activities of the Federal Maritime Commission for fiscal year 2022; to the Committee on Commerce, Science, and Transportation.

EC–1019. A communication from the Vice President of Government Affairs and Corporate Communications, National Railroad Passenger Corporation, Amtrak, transmitting, pursuant to law, other materials required to accompany Amtrak's Grant and Legislative Report for fiscal year 2024; to the Committee on Commerce, Science, and Transportation.

EC–1020. A communication from the Senior Attorney, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Hazardous Materials: Editorial Corrections and Clarifications; Correction'' (RIN2137–AF56) received during adjournment of the Senate in the Office of the President of the Senate on March 20, 2023; to the Committee on Commerce, Science, and Transportation.

EC–1021. A communication from the Attorney for Regulatory Affairs Division, Office of the General Counsel, Consumer Product Safety Commission, transmitting, pursuant to law, the report of a rule entitled ''Substantial Product Hazard List: Window Covering Cords'' (Docket No. CPSC–2021–0038) received in the Office of the President of the Senate on April 17, 2023; to the Committee on Commerce, Science, and Transportation.

EC–1022. A communication from the Deputy Associate General Counsel for Regulatory Affairs, Office of the Chief Procurement Officer, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Homeland Security Acquisition Regulation (HSAR); United States Coast Guard Contract Termination Policy (HSAR Case 2020–001)'' (RIN1601–AB08) received in the Office of the President of the Senate on April 17, 2023; to the Committee on Commerce, Science, and Transportation.

EC–1023. A communication from the Biologist of Protected Resources, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''List of Fisheries for 2023'' (RIN0648–BL30) received in the Office of the President of the Senate on April 17, 2023; to the Committee on Commerce, Science, and Transportation.

EC–1024. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Television Broadcasting Services; Roanoke, Virginia'' (MB Docket No. 23–14) received in the Office of the President of the Senate on April 17, 2023; to the Committee on Commerce, Science, and Transportation.

EC–1025. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Television Broadcasting Services; Odessa, Texas'' (MB Docket No. 22–435) received in the Office of the President of the Senate on April 17, 2023; to the Committee on Commerce, Science, and Transportation.

EC–1026. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Television Broadcasting Services; Hampton, Virginia'' (MB Docket No. 22–151) received in the Office of the President of the Senate on April 17, 2023; to the Committee on Commerce, Science, and Transportation.

EC–1027. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Television Broadcasting Services; Lufkin, Texas'' (MB Docket No. 22–436) received in the Office of the President of the Senate on April 17, 2023; to the Committee on Commerce, Science, and Transportation.

EC–1028. A communication from the Assistant Division Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Call Authentication Trust Anchor'' ((FCC 23–18) (WC Docket No. 17–97)) received in the Office of the President of the Senate on April 17, 2023; to the Committee on Commerce, Science, and Transportation.

EC–1029. A communication from the Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Affordable Connectivity Program, Fifth Report and Order'' ((RIN3060–AL16) (FCC 23–15) (WC Docket No. 21–450)) received in the Office of the President of the Senate on April 17, 2023; to the Committee on Commerce, Science, and Transportation.

EC–1030. A communication from the Program Analyst, Consumer and Governmental Affairs Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Order on Reconsideration and Declaratory Ruling'' ((FCC 23–21) (CG Docket No. 21–402)) received in the Office of the President of the Senate on April 17, 2023; to the Committee on Commerce, Science, and Transportation.

EC–1031. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (South Padre Island, Texas)'' (MB Docket No. 22–373) received in the Office of the President of the

Senate on April 17, 2023; to the Committee on Commerce, Science, and Transportation.

EC–1032. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes; Amendment 39–22364'' ((RIN2120–AA64) (Docket No. FAA–2022–1068)) received in the Office of the President of the Senate on April 17, 2023; to the Committee on Commerce, Science, and Transportation.

EC–1033. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes; Amendment 39–22345'' ((RIN2120–AA64) (Docket No. FAA–2022–1170)) received in the Office of the President of the Senate on April 17, 2023; to the Committee on Commerce, Science, and Transportation.

EC–1034. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes; Amendment 39–22396'' ((RIN2120–AA64) (Docket No. FAA–2023–0440)) received in the Office of the President of the Senate on April 17, 2023; to the Committee on Commerce, Science, and Transportation.

EC–1035. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; General Electric Company Turbofan Engines; Amendment 39–22358'' ((RIN2120–AA64) (Docket No. FAA–2022–1416)) received in the Office of the President of the Senate on April 17, 2023; to the Committee on Commerce, Science, and Transportation.

EC–1036. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; MHI RJ Aviation ULC (Type Certificate Previously Held by Bombardier, Inc.) Airplanes; Amendment 39–22392'' ((RIN2120–AA64) (Docket No. FAA–2022–0679)) received in the Office of the President of the Senate on April 17, 2023; to the Committee on Commerce, Science, and Transportation.

EC–1037. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Viking Air Limited (Type Certificate Previously Held by Bombardier, Inc. and de Havilland) Airplanes; Amendment 39–22397'' ((RIN2120–AA64) (Docket No. FAA–2022–0814)) received in the Office of the President of the Senate on April 17, 2023; to the Committee on Commerce, Science, and Transportation.

EC–1038. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Helicopters Deutschland GmbH (AHD) Helicopters; Amendment 39–22378'' ((RIN2120–AA64) (Docket No. FAA–2023–0430)) received in the Office of the President of the Senate on April 17, 2023; to the Committee on Commerce, Science, and Transportation.

EC–1039. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Continental Aerospace Technologies, Inc. Reciprocating Engines; Amendment 39–22385'' ((RIN2120–AA64) (Docket No. FAA–2023–0435)) received in the Office of the President of the Senate on April 17, 2023; to the Committee on Commerce, Science, and Transportation.

EC–1040. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus SAS Airplanes; Amendment 39–22371'' ((RIN2120–AA64) (Docket No. FAA–2023–1645)) received in the Office of the President of the Senate on April 17, 2023; to the Committee on Commerce, Science, and Transportation.

EC–1041. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Alexander Schleicher GmbH and Co. Segelflugzeugbau Gliders; Amendment 39–22372'' ((RIN2120–AA64) (Docket No. FAA–2022–1303)) received in the Office of the President of the Senate on April 17, 2023; to the Committee on Commerce, Science, and Transportation.

EC–1042. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Dassault Aviation Airplanes; Amendment 39–22365'' ((RIN2120–AA64) (Docket No. FAA–2022–1585)) received in the Office of the President of the Senate on April 17, 2023; to the Committee on Commerce, Science, and Transportation.

EC–1043. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; De Havilland Aircraft of Canada Limited (Type Certificate Previously Held by Bombardier, Inc.) Airplanes; Amendment 39–22370'' ((RIN2120–AA64) (Docket No. FAA–2022–1653)) received in the Office of the President of the Senate on April 17, 2023; to the Committee on Commerce, Science, and Transportation.

EC–1044. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus SAS Airplanes; Amendment 39–22318'' ((RIN2120–AA64) (Docket No. FAA–2022–1300)) received in the Office of the President of the Senate on April 17, 2023; to the Committee on Commerce, Science, and Transportation.

EC–1045. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus SAS Airplanes; Amendment 39–22221'' ((RIN2120–AA64) (Docket No. FAA–2022–1309)) received in the Office of the President of the Senate on April 17, 2023; to the Committee on Commerce, Science, and Transportation.

EC–1046. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Embraer S.A. Airplanes; Amendment 39–22183'' ((RIN2120–AA64) (Docket No. FAA–2022–0873)) received in the Office of the President of the Senate on April 17, 2023; to the Committee on Commerce, Science, and Transportation.

EC–1047. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; General Electric Company Turbofan Engines; Amendment 39–22366'' ((RIN2120–AA64) (Docket No. FAA–2023–0423)) received in the Office of the President of the Senate on April 17, 2023; to the Committee on Commerce, Science, and Transportation.

EC–1048. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; MHI RJ Aviation ULC (Type Certificate Previously Held by Bombardier, Inc.) Airplanes; Amendment 39–22366'' ((RIN2120–AA64) (Docket No. FAA–2022–0521)) received in the Office of the President of the Senate on April 17, 2023; to the Committee on Commerce, Science, and Transportation.

EC–1049. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Rolls-Royce Deutschland Ltd & Co KG (Type Certificate Previously Held by Rolls-Royce plc) Turbofan Engines; Amendment 39–22361'' ((RIN2120–AA64) (Docket No. FAA–2022–1244)) received in the Office of the President of the Senate on April 17, 2023; to the Committee on Commerce, Science, and Transportation.

EC–1050. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes; Amendment 39–22340'' ((RIN2120–AA64) (Docket No. FAA–2022–1058)) received in the Office of the President of the Senate on April 17, 2023; to the Committee on Commerce, Science, and Transportation.

EC–1051. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class D and Class E Airspace; Macon, GA'' ((RIN2120–AA66) (Docket No. FAA–2022–1614)) received in the Office of the President of the Senate on April 17, 2023; to the Committee on Commerce, Science, and Transportation.

EC–1052. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class D and Class E Airspace; Greenville, Spartansburg, and Greer, SC'' ((RIN2120–AA66) (Docket No. FAA–2022–1161)) received in the Office of the President of the Senate on April 17, 2023; to the Committee on Commerce, Science, and Transportation.

EC–1053. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace, and Amendment of Class E Airspace; Dallas, GA'' ((RIN2120–AA66) (Docket No. FAA–2022–1505)) received in the Office of the President of the Senate on April 17, 2023; to the Committee on Commerce, Science, and Transportation.

EC–1054. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of VOR Federal Airways V–268 and V–474, Revocation of Jet Route J–518 and VOR Federal Airway V–119, and Establishment of Area Navigation Route Q–178 in the Vicinity of Indian Head, PA'' ((RIN2120–AA66) (Docket

No. FAA–2022–1424)) received in the Office of the President of the Senate on April 17, 2023; to the Committee on Commerce, Science, and Transportation.

EC–1055. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of VOR Federal Airways V–126, V–156, V–233, and V–422, and Revocation of V–340, and V–371 in the Vicinity of Knox, IN'' ((RIN2120–AA66) (Docket No. FAA–2022–1399)) received in the Office of the President of the Senate on April 17, 2023; to the Committee on Commerce, Science, and Transportation.

EC–1056. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of VOR Federal Airways V–50, V–52, V–63, and V–586, and Revocation of V–582 in the Vicinity of Quincy, IL'' ((RIN2120–AA66) (Docket No. FAA–2022–1436)) received in the Office of the President of the Senate on April 17, 2023; to the Committee on Commerce, Science, and Transportation.

EC–1057. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Multiple Air Traffic Service (ATS) Routes and Revocation of a VOR Federal Airway in the Vicinity of Wolbach, NE'' ((RIN2120–AA66) (Docket No. FAA–2022–1395)) received in the Office of the President of the Senate on April 17, 2023; to the Committee on Commerce, Science, and Transportation.

EC–1058. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Municipal, Escalante, UT'' ((RIN2120–AA66) (Docket No. FAA–2022–1561)) received in the Office of the President of the Senate on April 17, 2023; to the Committee on Commerce, Science, and Transportation.

EC–1059. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Chicago, IL'' ((RIN2120–AA66) (Docket No. FAA–2022–0999)) received in the Office of the President of the Senate on April 17, 2023; to the Committee on Commerce, Science, and Transportation.

EC–1060. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''[Final Rule Delay in Effective Date] Establishment of United States Area Navigation (RNAV) Route T–280; Emmonak, AK'' ((RIN2120–AA66) (Docket No. FAA–2022–0245)) received in the Office of the President of the Senate on April 17, 2023; to the Committee on Commerce, Science, and Transportation.

EC–1061. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Hanford Municipal Airport, CA'' ((RIN2120–AA66) (Docket No. FAA–2022–1448)) received in the Office of the President of the Senate on April 17, 2023; to the Committee on Commerce, Science, and Transportation.

EC–1062. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Mefford Field Airport, CA'' ((RIN2120–AA66) (Docket No. FAA–2022–1453)) received in the Office of the President of the Senate on April 17, 2023; to the Committee on Commerce, Science, and Transportation.

EC–1063. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''IFR Altitude; Miscellaneous Amendments; Amdt. No. 571'' (RIN2120–AA63) received in the Office of the President of the Senate on April 17, 2023; to the Committee on Commerce, Science, and Transportation.

EC–1064. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments; Amendment No. 4049'' ((RIN2120–AA65) (Docket No. 31474)) received in the Office of the President of the Senate on April 17, 2023; to the Committee on Commerce, Science, and Transportation.

EC–1065. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments; Amendment No. 4050'' ((RIN2120–AA65) (Docket No. 31475)) received in the Office of the President of the Senate on April 17, 2023; to the Committee on Commerce, Science, and Transportation.

EC–1066. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Prohibition Against Certain Flight in this Territory and Airspace of Libya'' ((RIN2120–AL79) (Docket No. FAA–2011–0246)) received in the Office of the President of the Senate on April 17, 2023; to the Committee on Commerce, Science, and Transportation.

EC–1067. A communication from the Director of Legislative Affairs, Department of Homeland Security, transmitting, the report of a legislative proposal entitled ''To repeal section 3516(f) (2) of title 31, United States Code, and for other purposes'' ; to the Committee on Homeland Security and Governmental Affairs.

EC–1068. A communication from the Senior Congressional Liaison, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the Bureau's fiscal year 2022 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–12. A resolution adopted by the Legislature of Guam requesting the Secretary of the Interior to honor the Department of the Interior's responsibilities to Guam by directing the Offices of Insular Affairs and Environmental Policy and Compliance to review and assess the potential environmental impacts of the Marine Corps Base Camp Blaz Live-Fire Training Range Complex at Northwest Field, and the Hand Grenade Range at Andersen South, on the Northern Guam Lens Aquifer, and provide guidance to the Department of the Navy prior to range operations that ensures the protection of Guam's water resources; to the Committee on Energy and Natural Resources.

RESOLUTION NO. 464–36

Whereas, in August 2015, the U.S. Department of the Navy issued its Record of Decision based on the Guam and CNMI Military Relocation Final Supplemental Environmental Impact Study (2012 Roadmap Adjustments) (SEIS), pursuant to which the U.S. Department of Defense proposed to relocate approximately eight thousand six hundred (8,600) U.S. Marines from Okinawa to Guam; and as part of that action, to construct and operate a series of live-fire training ranges on Guam and CNMI. The massive Live-Fire Training Range Complex (LFTRC) and Hand Grenade Range are currently under construction and sit on top of the Northern Guam Lens Aquifer (NGLA)—a critical resource that provides Guam residents with eighty-five percent (85%) of the island's fresh drinking water; and

Whereas, the U.S. Marine Corps Base Camp Blaz LFTRC is located at Northwest Field on Andersen Air Force Base, and consists of five (5) separate firing ranges, including a Known Distance (KD) rifle range, a KD pistol range, a Modified Record of Fire Range (MRFR), a nonstandard small arms range, a Multipurpose Machine Gun (MPMG) range, and a stand-alone Hand Grenade Range that is located at Andersen South. Approximately one hundred eighty-seven (187) acres of pristine limestone forest have been cleared in support of the LFTRC; construction of the KD rifle range project is anticipated to be complete in 2022 and operational sometime between 2023–2024; and construction of the Multi-Purpose Machine Gun range is ongoing with expected completion in 2024; and

Whereas, according to the SEIS, up to 6.7 million lead bullets will be fired and four hundred twenty-one (421) hand grenades will be thrown over the aquifer each year, potentially threatening the community's primary water source, as well as the surrounding ocean areas; and

Whereas, the SEIS provides that range operations have the potential to leach munitions constituents into groundwater, such as lead, antimony, copper, and zinc. Munitions constituents are ''any materials originating from unexploded ordnance, discarded military munitions, or other military munitions, including explosive and nonexplosive materials, and emission, degradation, or breakdown elements of such ordnance or munitions.'' 10 U.S.C. §2710(e)(3). The SEIS further discloses that munitions constituents specific to the explosives used at the Hand Grenade Range include trinitrotoluene (TNT), cyclotetramethylene tetranitramine (High Melting Explosive, HMX), hexahydrotrinitrotriazine (Royal Demolition Explosive, RDX), and perchlorate; and

Whereas, in addition to harmful munitions constituents, the SEIS states that the firing ranges would potentially increase the amount of petroleum, oil, and lubricants (POLs), hazardous waste, herbicides, pesticides, and fertilizers being stored, transported, and utilized at the proposed facilities; and

Whereas, *I Liheslaturan Guåhan* (the Guam Legislature) finds it concerning that the SEIS lacks a thorough discussion of range munitions constituents and omits available data regarding the potential for these chemical agents to remain in soils and leach into the groundwater. In January 2012, the United States Environmental Protection Agency

published the ''EPA Federal Facilities Forum Issue Paper: Site Characterization for Munitions Constituents'' (EPA 2012 Paper), which compiles studies of military installations in the U.S and Canada and identifies a wide range of chemical agents left on surface soils surrounding firing ranges. The EPA 2012 Paper cites data showing that chemical components of explosives and propellants tend to be mobilized by heavy rainfall and may threaten groundwater supplies. This is of particular concern on Guam, as the karst limestone topography of the NGLA is especially porous, rendering the aquifer vulnerable to contamination; and

Whereas, *I Liheslaturan Guåhan* also finds that the significance of the NGLA as Guam's sole source aquifer, the increased annual withdrawal of groundwater amounting to 1.7 million gallons each day as a result of the Guam and CNMI Military Relocation, and threats induced by climate change are critical factors that must be considered to determine the true and long-term impacts of the training ranges on Guam's water resources; and

Whereas, *I Liheslaturan Guåhan* recognizes Guam's obligation to protect and preserve the natural and cultural heritage of the *CHamoru* people, and that the island and its resources are an inheritance from Guam's ancestors for the island's present and future generations, and must be safeguarded; and

Whereas, island nations all across the Pacific region are rising to fulfill that obligation and ensure community resilience and survival through climate change; and the Guam community joins the voices within the Pacific region and with those who have dedicated their lives to protecting this inheritance—Guam's lands and waters; and

Whereas, there is insufficient scientific data available to Guam residents to fully assess potentially irreversible impacts of the construction and operation of the firing ranges on the NGLA, and it is critical that the community is given reasonable time to review relevant and sound information before the ranges become operational: Now therefore, be it

Resolved, That *I Mina'trentai Sais Na Liheslaturan Guåhan* (the 36th Guam Legislature) does hereby, on behalf of the people of Guam, call on U.S. Secretary of the Interior Deb Haaland to honor the U.S. Department of the Interior's responsibilities to Guam and its residents by directing the Offices of Insular Affairs and Environmental Policy and Compliance to review and assess the potential environmental impacts of the U.S. Marine Corps Base Camp Blaz Live-Fire Training Range Complex at Northwest Field, and the Hand Grenade Range at Andersen South, on the Northern Guam Lens Aquifer, and provide guidance to the U.S. Department of the Navy prior to range operations that ensures the protection of Guam's water resources; and be it further

Resolved, That the Speaker certify, and the Legislative Secretary attest to, the adoption hereof, and that copies of the same be thereafter transmitted to the Honorable Joseph R. Biden, Jr., President of the United States of America; to the Honorable Kamala Harris, Vice President of the United States of America; to the Honorable Deb Haaland, Secretary of the U.S. Department of the Interior; to the Honorable Keone Nakoa, Deputy Assistant Secretary for Insular Affairs, U.S. Department of Interior; to Stephen G. Tryon, Director, Office of Environmental Policy and Compliance, U.S. Department of the Interior; to the Honorable Jack Reed, Chairperson, Committee on Armed Services, U.S. Senate; to the Honorable Adam Smith, Chairperson, Committee on Armed Services, U.S. House of Representatives; and to the Honorable Lourdes A. Leon Guerrero, *I Maga 'hågan Guåhan*.

POM–13. A joint resolution adopted by the Legislature of the State of Illinois rescinding its 1863 ratification of the following proposition, known as the Corwin Amendment to the United States Constitution: ''Article XIII. No amendment shall be made to the Constitution which will authorize or give to Congress the power to abolish or interfere, within any State, with the domestic institutions thereof, including that of persons held to labor or service by the laws of said State.''; to the Committee on the Judiciary.

SENATE JOINT RESOLUTION NO. 22

Whereas, On February 27, 1861, in an attempt to avert the secession of Southern states, United States Representative Thomas Corwin of Ohio proposed an amendment to the United States Constitution that would prohibit the United States Constitution from being amended in a manner that authorizes Congress to abolish or interfere with the states' domestic institutions, including slavery; and

Whereas, On March 2, 1861, the Corwin Amendment was approved by a joint resolution of the Thirty-Sixth United States Congress (12 Stat. 251) and was submitted to the states under Article V of the United States Constitution for ratification with no deadline given for completion of its ratification; and

Whereas, The Twenty-Third General Assembly of the State of Illinois ratified the Corwin Amendment in ''An Act ratifying a certain amendment to the Constitution of the United States'', in force June 2, 1863 (Public Laws 1863, p. 41); and

Whereas, The Corwin Amendment has not yet been ratified by three-fourths of the states and, therefore, is not part of the United States Constitution at this time; and

Whereas, It is still possible that a sufficient number of states could belatedly ratify the Corwin Amendment thereby adding it to the United States Constitution, as occurred with the 27th Amendment to the United States Constitution, which was first proposed in 1789 and was not ratified by a sufficient number of states until 1992; and

Whereas, With the end of the Civil War and the ratification of the actual 13th Amendment to the United States Constitution in 1865, the purposes of the Corwin Amendment have become moot: Now, therefore, be it

Resolved, by the Senate of the One Hundred Second General Assembly of the State of Illinois, the House of Representatives Concurring Herein, That the State of Illinois rescinds its 1863 ratification of the following proposition, known as the Corwin Amendment to the United States Constitution:

''ARTICLE XIII. No amendment shall be made to the Constitution which will authorize or give to Congress the power to abolish or interfere, within any State, with the domestic institutions thereof, including that of persons held to labor or service by the laws of said State.''; and be it further

Resolved, That certified copies of this resolution be forwarded to the Archivist of the United States, the President of the United States, the President and Secretary of the United States Senate, the Speaker and Clerk of the United States House of Representatives, and each member congressional delegation with the request verbatim in the Congressional Record.

POM–14. A resolution adopted by the General Assembly of the State of New Jersey respectfully urging the United States Congress and the President of the United States to increase funding for the National Aeronautics and Space Administration; to the Committee on Commerce, Science, and Transportation.

ASSEMBLY RESOLUTION NO. 165

Whereas, The National Aeronautics and Space Administration (NASA), established in 1958 to expand ''human knowledge of phenomena in the atmosphere and space,'' is a federal agency that invests in innovative activities that create jobs, jumpstart businesses, and grow the economy; and

Whereas, As part of its overall mission, NASA seeks to improve aeronautical and space vehicles capable of carrying living organisms, equipment, supplies, and instruments by studying and recognizing the interconnectedness of varied sciences; and

Whereas, The onset of the Space Race underscored the significance of NASA, as the agency's initial space and lunar expeditions captivated the psyche of the nation and catapulted the United States to the forefront of the scientific-technological revolution; and

Whereas, Another NASA innovation, known as the James Webb Space Telescope, has enabled humanity to see deep into the outer limits of space, reigniting the nation's hunger for exploration; and

Whereas, Today, NASA research and development projects tend to result in spinoff technologies in common use, including solar panels, medical imaging and dental x-ray devices, cell phone cameras, cordless vacuums, memory foam, and stronger tire material; and

Whereas, It is clear that there is an increased interest and demand in space craft, space flight, and satellite technology from the private sector, and increased funding for public-private partnerships could lead to further innovations that bring economic growth to New Jersey and the country as a whole; and

Whereas, New Jersey seeks to foster the next generation's expertise in science, technology, engineering, and mathematics (STEM) by capitalizing on awe-inspiring NASA missions to demonstrate real-life applications of what is taught in the classroom; and

Whereas, The COVID–19 pandemic heightened the urgency for funding STEM education and career training as an investment in future health and prosperity, both short-term and long-term; and

Whereas, Climate uncertainty and extreme weather events heighten the necessity for investing in endeavors that lead to pioneering solutions to help humanity adapt with the planet we live on; and

Whereas, Despite the value that NASA continues to present to the American people and the economy, NASA's annual funding adjusted for inflation peaked in 1966 at $49 billion, in 2021 dollars, and has stagnated since 2000 at roughly $22 billion, in 2021 dollars; and

Whereas, President Biden's proposed federal fiscal year (FY) 2023 funding for NASA will raise the agency's budget to $26 billion, an eight percent increase over FY2022's $24 billion budget; and

Whereas, Increasing the administration's budget will lead to scientific and technological innovations that will create jobs, jumpstart businesses, grow the economy, and expand human understanding of our planet and universe; now, therefore,

Be it resolved by the General Assembly of the State of New Jersey:

1. This House respectfully urges the Congress and the President to increase funding for the National Aeronautics and Space Administration in the federal budget.

2. Copies of this resolution, as filed with the Secretary of State, shall be transmitted by the Clerk of the General Assembly to the President and Vice President of the United States, the Majority and Minority Leaders of the United States Senate, the Speaker and Minority Leader of the United States House of Representatives, each member of the United States Congress elected from this State, and the Administrator of the National Aeronautics and Space Administration.

POM–15. A resolution adopted by the Board of Supervisors of the City and County of San Francisco, California, condemning Azerbaijan's Blockade of the Armenians of Nagorno-Karabakh (Artsakh) and ongoing human rights violations; to the Committee on Foreign Relations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. DURBIN, from the Committee on the Judiciary:

Special Report entitled ''Report on the Activities of the Committee on the Judiciary United States Senate During the One Hundred Seventeenth Congress'' (Rept. No. 118–11).

By Mr. PETERS, from the Committee on Homeland Security and Governmental Affairs, without amendment:

S. 264. A bill to amend the Lobbying Disclosure Act of 1995 to require certain disclosures by registrants regarding exemptions under the Foreign Agents Registration Act of 1938, as amended (Rept. No. 118–12).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mrs. CAPITO (for herself, Mr. CARPER, and Mr. BOOZMAN):

S. 1189. A bill to establish a pilot grant program to improve recycling accessibility, and for other purposes; to the Committee on Environment and Public Works.

By Mr. SCHATZ (for himself, Mr. CASEY, Ms. HIRONO, Mr. WHITEHOUSE, Mr. BENNET, Mr. LUJAN, Mr. VAN HOLLEN, Mr. DURBIN, Mr. HEINRICH, Ms. WARREN, Mr. MURPHY, Ms. SMITH, and Mr. MARKEY):

S. 1190. A bill to repeal the debt ceiling, and for other purposes; to the Committee on Finance.

By Mrs. BLACKBURN (for herself and Mr. WARNER):

S. 1191. A bill to direct the Director of the Cybersecurity and Infrastructure Security Agency to establish a K–12 Cybersecurity Technology Improvement Program, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. HAGERTY (for himself, Mr. RISCH, Mr. LEE, Ms. LUMMIS, Mrs. HYDE-SMITH, Mrs. BLACKBURN, Mr. MARSHALL, Mr. DAINES, Mr. BUDD, Mr. CRAPO, and Mr. YOUNG):

S. 1192. A bill to amend the Public Health Service Act to provide the Secretary of Health and Human Services with the authority to suspend the right to introduce certain persons or property into the United States in the interest of the public health; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BENNET (for himself, Mr. BOOKER, Mr. MARKEY, Mr. WHITEHOUSE, Mr. SCHUMER, Ms. STABENOW, Mr. REED, Mr. HEINRICH, Ms. WARREN, Ms. CORTEZ MASTO, Mr. HICKENLOOPER, Ms. KLOBUCHAR, Ms. BALDWIN, Mrs. GILLIBRAND, Mr. CARPER, Ms. HIRONO, and Mr. VAN HOLLEN):

S. 1193. A bill to prohibit discrimination against individuals with disabilities who need long-term services and supports, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CARPER (for himself, Mrs. CAPITO, and Mr. BOOZMAN):

S. 1194. A bill to require the Administrator of the Environmental Protection Agency to carry out certain activities to improve recycling and composting programs in the United States, and for other purposes; to the Committee on Environment and Public Works.

By Mr. CRUZ (for himself, Mr. KENNEDY, Mr. LEE, and Mr. BARRASSO):

S. 1195. A bill to amend the Internal Revenue Code of 1986 to repeal the excise taxes on taxable chemicals and taxable substances; to the Committee on Finance.

By Mr. MARKEY (for himself, Mr. SANDERS, and Ms. WARREN):

S. 1196. A bill to amend the Revised Statutes to remove the defense of qualified immunity in the case of any action under section 1979, and for other purposes; to the Committee on the Judiciary.

By Mr. BOOKER (for himself, Mr. BLUMENTHAL, Mr. KING, Mr. MARKEY, Mr. SANDERS, and Mr. WYDEN):

S. 1197. A bill to amend the Telecommunications Act of 1996 to preserve and protect the ability of State and local governments, public-private partnerships, and cooperatives to provide broadband services; to the Committee on Commerce, Science, and Transportation.

By Mr. WYDEN (for himself and Mr. CASEY):

S. 1198. A bill to reauthorize funding for programs to prevent and investigate elder abuse, neglect, and exploitation, and for other purposes; to the Committee on Finance.

By Mr. DURBIN:

S. 1199. A bill to combat the sexual exploitation of children by supporting victims and promoting accountability and transparency by the tech industry; to the Committee on the Judiciary.

By Mrs. BLACKBURN (for herself, Ms. KLOBUCHAR, and Mrs. HYDE-SMITH):

S. 1200. A bill to establish a Federal grant program to combat the smuggling and trafficking of children and young women; to the Committee on the Judiciary.

By Mr. SCOTT of South Carolina (for himself, Mr. CRAMER, Mr. CASSIDY, Ms. LUMMIS, Mr. BRAUN, Mr. JOHNSON, Mr. THUNE, Mrs. HYDE-SMITH, Mr. HAGERTY, Mr. BUDD, Mr. TUBERVILLE, Mr. CRAPO, Mr. RISCH, Mr. LEE, Mr. BARRASSO, and Mr. CORNYN):

S. 1201. A bill to reform the labor laws of the United States, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. VAN HOLLEN (for himself, Mr. PADILLA, Mr. MERKLEY, Mr. LUJÁN, Ms. BALDWIN, Ms. DUCKWORTH, Mr. REED, Mr. CARDIN, Mr. MURPHY, Mr. DURBIN, Mr. MARKEY, Ms. WARREN, Ms. HIRONO, Ms. SMITH, Mr. SANDERS, Ms. KLOBUCHAR, Mr. BLUMENTHAL, Mr. BROWN, Mr. BOOKER, and Mr. BENNET):

S. 1202. A bill to require full funding of part A of title I of the Elementary and Secondary Education Act of 1965 and the Individuals with Disabilities Education Act; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MENENDEZ (for himself, Mr. RISCH, Mr. CARDIN, Mr. CRAPO, Mrs. FEINSTEIN, and Mr. YOUNG):

S. 1203. A bill to amend the Peace Corps Act by reauthorizing the Peace Corps, providing better support for current, returning, and former volunteers, and for other purposes; to the Committee on Foreign Relations.

By Mr. SCHATZ (for himself, Mr. WYDEN, Mr. KELLY, Mr. BOOKER, Ms. ROSEN, Mr. SANDERS, Mr. PADILLA, Mr. KAINE, and Mr. MERKLEY):

S. 1204. A bill to allow veterans to use, possess, or transport medical marijuana and to discuss the use of medical marijuana with a physician of the Department of Veterans Affairs as authorized by a State or Indian Tribe, and for other purposes; to the Committee on the Judiciary.

By Mr. BROWN (for himself, Ms. SMITH, Mr. WELCH, and Mr. FETTERMAN):

S. 1205. A bill to modify market development programs under the Department of Agriculture, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. BOOKER (for himself, Mr. BLUMENTHAL, Ms. CORTEZ MASTO, Ms. BALDWIN, Mr. MERKLEY, Mr. MARKEY, Mr. SANDERS, Mr. REED, Mr. HICKENLOOPER, Ms. CANTWELL, Mr. WHITEHOUSE, Ms. WARREN, Mr. PADILLA, Mrs. FEINSTEIN, Mr. MENENDEZ, Mr. VAN HOLLEN, Mrs. SHAHEEN, Ms. KLOBUCHAR, Mr. WYDEN, Mr. HEINRICH, Mr. CARDIN, Ms. STABENOW, Mr. CARPER, Ms. DUCKWORTH, Mr. DURBIN, Mr. BROWN, and Mr. LUJÁN):

S. 1206. A bill to amend the Religious Freedom Restoration Act of 1993 to protect civil rights and otherwise prevent meaningful harm to third parties, and for other purposes; to the Committee on the Judiciary.

By Mr. GRAHAM (for himself, Mr. BLUMENTHAL, Mr. GRASSLEY, Mr. DURBIN, Mrs. HYDE-SMITH, Mrs. FEINSTEIN, Mr. HAWLEY, Ms. CORTEZ MASTO, Mr. TILLIS, Ms. HASSAN, Ms. ERNST, Mr. WARNER, Ms. MURKOWSKI, Mr. WHITEHOUSE, Ms. COLLINS, Ms. HIRONO, Mr. CRUZ, Mr. RUBIO, Mr. CORNYN, Mr. KENNEDY, and Mrs. BLACKBURN):

S. 1207. A bill to establish a National Commission on Online Child Sexual Exploitation Prevention, and for other purposes; to the Committee on the Judiciary.

By Mr. BOOKER (for himself, Mr. MARKEY, Ms. WARREN, Mrs. MURRAY, Mr. SANDERS, Mr. WELCH, and Ms. DUCKWORTH):

S. 1208. A bill to provide standards for facilities at which aliens in the custody of the Department of Homeland Security are detained, and for other purposes; to the Committee on the Judiciary.

By Mr. BOOKER:

S. 1209. A bill to regulate tax return preparers and refund anticipation payment arrangements; to the Committee on Finance.

By Mr. CARDIN (for himself and Mr. VAN HOLLEN):

S. 1210. A bill to designate a laboratory as the National Biodefense Analysis and Countermeasures Center, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. MURPHY (for himself, Mrs. GILLIBRAND, and Ms. SMITH):

S. 1211. A bill to amend title II of the Social Security Act to credit individuals serving as caregivers of dependent relatives with deemed wages for up to five years of such service; to the Committee on Finance.

By Mr. CRAMER (for himself and Mr. WARNER):

S. 1212. A bill to authorize notaries public to perform, and to establish minimum standards for, electronic notarizations and remote notarizations that occur in or affect interstate commerce, to require any Federal court to recognize notarizations performed by a notarial officer of any State, to require any State to recognize notarizations performed by a notarial officer of any other State when the notarization was performed under or relates to a public Act, record, or judicial proceeding of notarial officer's State

or when the notarization occurs in or affects interstate commerce, and for other purposes; to the Committee on the Judiciary.

By Mr. THUNE (for himself, Mr. BRAUN, Mr. SCOTT of South Carolina, and Mr. TUBERVILLE):

S. 1213. A bill to require the Secretary of Labor to implement the industry-recognized apprenticeship program process, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. BALDWIN:

S. 1214. A bill to set forth limitations on exclusive approval or licensure of drugs designated for rare diseases or conditions; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KING:

S. 1215. A bill to require assessments of opportunities to install and maintain floating photovoltaic solar panels at Bureau of Reclamation and Corps of Engineers projects, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. MERKLEY (for himself, Mr. DAINES, Mr. WYDEN, Mr. ROUNDS, and Mr. KING):

S. 1216. A bill to amend Public Law 91–378 to authorize activities relating to Civilian Conservation Centers, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. HAWLEY:

S. 1217. A bill to prohibit the distribution and receipt of rebates for prescription drugs; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HAWLEY:

S. 1218. A bill to require that the retail list price for certain prescription drugs and biological products may not exceed the average retail list price for the drug or biological product among certain nations; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CASEY (for himself, Mr. MERKLEY, Mr. WELCH, Mr. KAINE, Mrs. GILLIBRAND, and Ms. DUCKWORTH):

S. 1219. A bill to amend the Public Health Service Act to provide health equity for people with disabilities; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KENNEDY (for himself, Mr. SCHATZ, Mr. HAGERTY, Mr. VAN HOLLEN, Mr. SCOTT of Florida, Mrs. SHAHEEN, Mrs. BLACKBURN, Mr. KAINE, Mr. CASSIDY, Ms. DUCKWORTH, Mr. CARDIN, Mr. PETERS, and Mr. RUBIO):

S. 1220. A bill to establish the position of Special Envoy to the Pacific Islands Forum; to the Committee on Foreign Relations.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. LEE:

S. Res. 164. A resolution honoring the Heritage Foundation on the occasion of its 50th anniversary; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 113

At the request of Mr. GRASSLEY, the name of the Senator from North Carolina (Mr. BUDD) was added as a cosponsor of S. 113, a bill to require the Federal Trade Commission to study the role of intermediaries in the pharmaceutical supply chain and provide Congress with appropriate policy recommendations, and for other purposes.

S. 141

At the request of Mr. MORAN, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 141, a bill to amend title 38, United States Code, to improve certain programs of the Department of Veterans Affairs for home and community based services for veterans, and for other purposes.

S. 302

At the request of Ms. KLOBUCHAR, the name of the Senator from Nevada (Ms. CORTEZ MASTO) was added as a cosponsor of S. 302, a bill to amend title 10, United States Code, to direct the Secretary of Defense to provide colorectal cancer screening for members of the uniformed services who served in locations associated with toxic exposure, and for other purposes.

S. 443

At the request of Mr. BROWN, the names of the Senator from New Jersey (Mr. MENENDEZ), the Senator from New York (Mr. SCHUMER) and the Senator from North Carolina (Mr. BUDD) were added as cosponsors of S. 443, a bill to treat certain liquidations of new motor vehicle inventory as qualified liquidations of LIFO inventory for purposes of the Internal Revenue Code of 1986.

S. 576

At the request of Mr. BROWN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 576, a bill to enhance safety requirements for trains transporting hazardous materials, and for other purposes.

S. 596

At the request of Mr. KAINE, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 596, a bill to amend the Internal Revenue Code of 1986 to make employers of spouses of military personnel eligible for the work opportunity credit.

S. 637

At the request of Mr. SCHATZ, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 637, a bill to amend the Fair Labor Standards Act of 1938 to apply child labor laws to independent contractors, increase penalties for child labor law violations, and for other purposes.

S. 785

At the request of Mrs. FISCHER, the name of the Senator from Ohio (Mr. VANCE) was added as a cosponsor of S. 785, a bill to amend the Clean Air Act with respect to the ethanol waiver for Reid Vapor Pressure under that Act, and for other purposes.

S. 791

At the request of Mr. JOHNSON, the name of the Senator from North Carolina (Mr. BUDD) was added as a cosponsor of S. 791, a bill to increase access to agency guidance documents.

S. 881

At the request of Mr. SCHATZ, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 881, a bill to amend the Internal Revenue Code of 1986 to provide a credit for the purchase of certain new electric bicycles.

S. 886

At the request of Ms. BALDWIN, the name of the Senator from Mississippi (Mrs. HYDE-SMITH) was added as a cosponsor of S. 886, a bill to authorize the location of a monument on the National Mall to commemorate and honor the women's suffrage movement and the passage of the 19th Amendment to the Constitution, and for other purposes.

S. 887

At the request of Mr. CRUZ, the name of the Senator from Florida (Mr. SCOTT) was added as a cosponsor of S. 887, a bill to amend the Federal Reserve Act to prohibit the Federal reserve banks from offering certain products or services directly to an individual, and for other purposes.

S. 966

At the request of Mr. RISCH, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 966, a bill to provide for operations of the Federal Columbia River Power System pursuant to a certain operation plan for a specified period of time, and for other purposes.

S. 985

At the request of Mr. LANKFORD, the name of the Senator from Alabama (Mrs. BRITT) was added as a cosponsor of S. 985, a bill to amend the Higher Education Act of 1965 to ensure campus access at public institutions of higher education for religious groups.

S. 1041

At the request of Mr. BROWN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 1041, a bill to amend the Fair Labor Standards Act of 1938 to establish a minimum salary threshold for bona fide executive, administrative, and professional employees exempt from Federal overtime compensation requirements, and automatically update such threshold each year, and for other purposes.

S. 1049

At the request of Mr. CASEY, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1049, a bill to ensure that older adults and individuals with disabilities are prepared for disasters, and for other purposes.

S. 1061

At the request of Mr. CARDIN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1061, a bill to prospectively repeal the 2001 Authorization for Use of Military Force.

S. 1064

At the request of Mrs. CAPITO, the names of the Senator from Kansas (Mr. MORAN) and the Senator from Arizona (Mr. KELLY) were added as cosponsors of S. 1064, a bill to direct the Secretary

of Health and Human Services to carry out a national project to prevent and cure Parkinson's, to be known as the National Parkinson's Project, and for other purposes.

S. 1068

At the request of Mr. CRUZ, the name of the Senator from Alabama (Mrs. BRITT) was added as a cosponsor of S. 1068, a bill to ensure that State and local law enforcement officers are permitted to cooperate with Federal officials to protect our communities from violent criminals and suspected terrorists who are illegally present in the United States.

S. 1125

At the request of Mr. TESTER, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 1125, a bill to authorize an electronic health record modernization program of the Department of Veterans Affairs and increase oversight and accountability of the program to better serve veterans, medical professionals of the Department, and taxpayers, and for other purposes.

S. 1152

At the request of Mr. DURBIN, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 1152, a bill to focus limited Federal resources on the most serious offenders.

S. 1184

At the request of Mrs. BLACKBURN, the names of the Senator from Montana (Mr. DAINES) and the Senator from Florida (Mr. SCOTT) were added as cosponsors of S. 1184, a bill to direct the Comptroller General of the United States to conduct a study to evaluate the activities of sister city partnerships operating within the United States, and for other purposes.

S. CON. RES. 7

At the request of Mr. CARDIN, the names of the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Illinois (Mr. DURBIN) and the Senator from Virginia (Mr. KAINE) were added as cosponsors of S. Con. Res. 7, a concurrent resolution condemning Russia's unjust and arbitrary detention of Russian opposition leader Vladimir Kara-Murza who has stood up in defense of democracy, the rule of law, and free and fair elections in Russia.

S. RES. 128

At the request of Ms. KLOBUCHAR, the names of the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from Oklahoma (Mr. LANKFORD) were added as cosponsors of S. Res. 128, a resolution condemning the Russian Federation's kidnapping of Ukrainian children.

S. RES. 133

At the request of Ms. BALDWIN, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. Res. 133, a resolution honoring the 30th anniversary of the National Guard Youth Challenge Program.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. HAGERTY (for himself, Mr. RISCH, Mr. LEE, Ms. LUMMIS, Mrs. HYDE-SMITH, Mrs. BLACKBURN, Mr. MARSHALL, Mr. DAINES, Mr. BUDD, Mr. CRAPO, and Mr. YOUNG):

S. 1192. A bill to amend the Public Health Service Act to provide the Secretary of Health and Human Services with the authority to suspend the right to introduce certain persons or property into the United States in the interest of the public health; to the Committee on Health, Education, Labor, and Pensions.

Mr. HAGERTY. Madam President, in February, the Biden administration argued to the U.S. Supreme Court that title 42 will terminate in May of 2023 with the expiration of the COVID–19 public health emergency.

Removing one of the last tools available to Border Patrol agents during a record-shattering border crisis is intolerable. Congress should not stand by and refuse to address this obvious problem.

Title 42 authority was initially based on the pandemic, and while I agree that the pandemic is over, the border crisis and the deadly drug overdose crisis that it fuels are worse than ever.

Whether to maintain border security policy should not depend on whether there is a pandemic. That is why I am reintroducing the Stop Fentanyl Border Crossings Act today. This legislation would preserve continued use of title 42 authority to combat drug trafficking at the border.

Clearly, the deadly epidemic has not ended. Deadly fentanyl is flooding American communities—deadly fentanyl, produced with the help of the Chinese Communist Party and smuggled by drug cartels across our southern border.

More than 100,000 Americans died of drug overdoses in the last 12 months, most of them from synthetic opioids like fentanyl. It is the No. 1 cause of death for Americans between the ages of 18 and 45.

The rise in fentanyl overdoses and deaths affects every State and congressional district. It kills the young and the old, the rich and the poor, in cities and in small towns alike. It is not a partisan issue, and finding a solution shouldn't be partisan either.

When I talk to Tennessee sheriffs, they tell me that fentanyl is becoming more and more lethal, how a so-called ''bad batch'' can kill dozens of people. Once this deadly substance arrives in American communities, it is too late. We have to stop it before it crosses our borders. That is why I have reintroduced this legislation to combat drug smuggling.

When I travel to the border, Border Patrol agents tell me that the cartels use human waves of illegal border crossers as cover to transport fentanyl and other deadly narcotics. While Border Patrol agents are diverted to manage caravans of border crossers, the gap in coverage is then exploited by the smugglers. In many cases, these are well-planned and carefully coordinated occurrences.

The agents told me that ''the people don't stay at the border, and the drugs don't either.'' They also told me that title 42 is the last tool the Border Patrol has left to partially slow this ongoing tidal wave of illegal crossings. We can't afford to take away this tool in the midst of a crisis.

Letting title 42 end without creating a permanent, new authority to replace it empowers drug cartels. It enables them to send migrants across the border at strategic points, bogging down Border Patrol agents with paperwork and processing that takes five times longer without title 42. This dramatic increase in processing times absent title 42 will significantly decrease the scarce resources available to actually patrol our southern border. Cartels will then use the longer and more frequent enforcement gaps to move more fentanyl across the southern border. We cannot allow this to happen.

My legislation simply adds drug smuggling as an additional basis for using title 42 authority. It would help Border Patrol stop drug traffickers.

This should not be controversial. Yet, last Congress, Democrats blocked its passage three times on the Senate floor. Now that we are staring down at the end of title 42, it is time to pass this bill. I hope my colleagues across the aisle will not let title 42 expire without action. We must protect the border security tools we have to stop the fentanyl flowing across our southern border before more lives are lost.

By Mr. DURBIN:

S. 1199. A bill to combat the sexual exploitation of children by supporting victims and promoting accountability and transparency by the tech industry; to the Committee on the Judiciary.

Mr. DURBIN. Madam President, there is a grave threat to America's future lurking online. Big Tech giants and other online platforms are working every day to capture the minds of our children in order to pad their profits.

Toddlers, before they can walk or barely talk, have learned to reach out and touch that bright little screen. Mothers and fathers on car rides and plane trips trust that little screen will buy them quiet time. Captivated, mesmerized, even hypnotized, the screen experience continues. And unless parents are very careful, it can go from bad to worse. It starts with music and games, which many of the parents find harmless. As the child grows up and graduates to a cell phone, there is an opportunity to move to a new level of information and communication.

Let's face it, even the most caring, conscientious parent struggles to keep up with all the apps and options. And the producers of these online experiences are determined to work on the brains of these children, capture their

little customers in the process, and pad their profits.

So who is protecting our kids from internet profiteers and predators? I am sorry to say, almost no one. In fact, our laws are written to protect the predators, not the kids.

Clearly, every child can benefit from a safe online experience. They can make friends, expand their knowledge, learn skills. But social media, we all know, has a dangerous dark side. Innocent children are lured into online environments and powerful algorithms working to keep them there. Unsuspecting kids can be sexually exploited and their childhood images captured forever by predators and profit-taking abusers.

Drug pushers no longer search for playgrounds to sell deadly narcotics. Two clicks on the internet bring them their new young customers. Many children are bullied and harassed online or pressured into dangerous, deadly behavior.

Rose Bronstein is a mother from Chicago. She knows how cruel and dangerous the online world can be. Rose's son Nate was a 10th grader at a private school when he started being taunted by classmates using texts and Snapchat. The bullying of her son was vicious, and it included messages urging Nate to kill himself. Nate died by suicide at the age of 15.

We have known for years about the online dangers to children's privacy and safety. We have talked a lot about them. We have even held hearings in Congress about them. Journalists have written so many articles about the dangers, but the problem has only grown worse.

Research into exactly how social media use affects children is still in its early stage, largely because of Big Tech's failure to adequately monitor, report, and prevent violation of children's online privacy and safety. But a picture is emerging, and it is alarming.

This chart tells a story. The gold line you see here shows the amount of time teenagers spend scrolling through social media and watching online videos. According to Common Sense, a group that tracks media use by young kids and teens, kids spend an average of nearly 3 hours a day on sites like Instagram, Snapchat, TikTok, and YouTube. That is a nearly 60-percent increase in the last 6 years.

This white line shows that an increase in teens' use of social media has been accompanied by a sharp spike in teen depression. According to the CDC, between 2013 and 2021, the percentage of teens who reported persistent feelings of sadness or hopelessness shot up 42 percent—between 2013 and 2021.

The blue line shows what happens with girls' mental health. Today, nearly one in three girls in America say they have seriously considered suicide. That is a 34-percent spike in the past decade.

We have given tech companies nearly three decades to police themselves. They have failed miserably, and our children are paying the price. Our teenagers are in a mental health crisis.

Congress must impose stronger, enforceable online protections for kids. Our children are not commodities, and we can't continue to expect parents and victims alone to stand up to Big Tech with few ways to hold tech companies accountable.

Two months ago, the Senate Judiciary Committee, which I chair, held a hearing on online threats to children's safety. We heard powerful testimony from those working to increase children's privacy and safety online. They included law enforcement, the National Center for Missing & Exploited Children, the American Psychological Association, and the child internet safety advocacy organization known as Fairplay.

We also heard from victims. The stories were frightening, frightening to every parent and every grandparent, and heartbreaking.

Charlotte—and I am using a pseudonym here—didn't attend the hearing, but she has allowed me to tell her story in the hope that it may help others who have been victimized online, as she has been, by sexual predators.

Charlotte was 16 years old when she first visited a social media site that a friend told her about. It sounded so exciting, she said, a place where she could meet people from all over the world. I won't use the name of the site, but you would recognize it immediately. It is used by tens of millions of people every single day.

Among the people Charlotte met online was a man who showered her with attention and compliments, gained her trust, and eventually enticed Charlotte into performing sex acts for him over the webcam and sending explicit videos to him.

Maybe that sounds shocking to you, but be prepared. Research shows that over one-third of teenagers today believe that it is normal to share the same sorts of images and videos that Charlotte shared online—one-third.

She was still in high school when the online harassment began. First came anonymous emails, then a phone call to her parents' house calling her vile names. Eventually, the images she shared with that man she thought was a friend would be posted on more than 100 websites across the world, often with her name and identifiable information included.

Charlotte filed her first of six police reports about the images when she reached the age of 18. Eventually, she, her mother, her boyfriend, and child safety groups would file hundreds of reports with social media providers around the world trying to get these horrible images taken down, often to no avail.

While she was in college studying to be a teacher—her lifelong dream—the images were posted again, along with her name and the name of her college. When the university found out about it, it canceled her student teaching placement and threatened to withhold her degree.

She was a teacher of special education at a middle school when one of her students saw the images again online. Charlotte told her principal. She was fired a few days later.

Again and again, it was Charlotte who was blamed, not the abusers who tormented her online. Over the years, Charlotte tried three times to take her own life. It has now been 14 years since she met that predator online, but the images continue to circulate again and again. The abuse never stops, and Charlotte says she doubts she will ever feel safe again.

This Senate can help Charlotte and countless other young people who are sexually abused online each year by passing a bill that I am introducing today. It is called the Stop CSAM Act. CSAM, C-S-A-M, stands for ''child sexual abuse material.'' Federal law still uses the old term—''pornography,'' ''child pornography''—but that is misleading because pornography implies consent, and children under the age of 18 cannot legally consent to the creation or sharing of sexually explicit images of themselves.

So these images are, by definition, evidence of a crime. Yet, under current law, it is extremely difficult to bring lawsuits against tech companies that allow child sexual abuse materials to be posted on their websites.

How can this be, you ask? Here is how. The Communications Decency Act of 1996—remember that year—contains a section, section 230, that offers near-total immunity to Big Tech. As a result, victims like Charlotte have no way to force tech companies to remove content posted on their sites—not even these child sexual abuse horrible images.

My bill, the Stop CSAM Act, is going to change that. It would protect victims and promote accountability within the tech industry. Companies that fail to remove CSAM and related imagery after being notified about them would face significant fines. They would also be required to produce annual reports detailing their efforts to keep children safe from online sex predators, and any company that promotes or facilitates online child exploitation could face new criminal and civil penalties.

When section 230 was created in 1996, Mark Zuckerberg was in the sixth grade. Facebook and social media sites didn't even exist. It is time that we rewrite the law to reflect the reality of today's world.

A bipartisan bill sponsored by Senators Graham and Blumenthal would also help to do that. It is called the EARN IT Act, and it would let CSAM victims—these child sexual abuse victims—have their day in court by amending section 230 to eliminate Big Tech's near-total immunity from liability and responsibility.

When we learned two decades ago that Big Tobacco was lying about their

efforts to hook kids on smoking, Congress took action to establish reasonable guardrails to protect public health, and the courts held Big Tobacco accountable for the damage and death it had caused.

Now, Big Tech is using the same playbook in order to profit by hooking America's kids on its dangerous products. It is time to hold them accountable just as we did with Big Tobacco.

I will close with one more story from our committee hearing. Kristin Bride is a mother from Oregon. After being bullied relentlessly by supposed friends using Snapchat and anonymous messaging apps, Kristin's 16-year-old son Carson hanged himself in his family's garage. After his death, Kristin discovered the online taunts they had been throwing at her son. She sued the anonymous messaging apps in California State court for failing to enforce even their own safety standard.

The court dismissed the lawsuit, and what did they cite? Section 230, our law from 1996.

As Kristin told our committee, ''It shouldn't take grieving parents filing lawsuits to hold the industry accountable for their dangerous and addictive product design.''

We have the bipartisan support in the Senate to protect our children and grandchildren online. It is time that we use it.

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. 1199

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 ''Strengthening Transparency and Obligations to Protect Children Suffering from Abuse and Mistreatment Act of 2023'' or the ''STOP CSAM Act of 2023''.

SEC. 2. MANDATORY REPORTING OF CHILD ABUSE.

(a) IN GENERAL.—Section 226 of the Victims of Child Abuse Act of 1990 (34 U.S.C. 20341) is amended—

(1) in subsection (a)(2)—

(A) by striking ''A covered individual'' and inserting the following:

''(A) IN GENERAL.—A covered individual''; and

(B) by adding at the end the following:

''(B) GEOGRAPHIC APPLICABILITY.—Subparagraph (A) shall apply with respect to an incident of child abuse that—

''(i) occurred within the United States; or

''(ii)(I) occurred outside the United States; and

''(II) was committed by a United States citizen or an alien lawfully admitted for permanent residence.'';

(2) in subsection (b)(8), by inserting ''and computer repair technicians'' after ''photo processors'';

(3) in subsection (c)—

(A) in paragraph (1), by striking ''physical or mental injury'' and inserting ''physical injury, psychological abuse'';

(B) by striking paragraph (3) and inserting the following:

''(3) the term 'psychological abuse' includes—

''(A) a pattern of acts, threats of acts, or coercive tactics intended to degrade, humiliate, intimidate, or terrorize, a child; and

''(B) the infliction of trauma on a child through—

''(i) isolation;

''(ii) the withholding of food or other necessities in order to control behavior;

''(iii) physical restraint; or

''(iv) confinement of the child without the child's consent and in degrading conditions;'';

(C) in paragraph (5)(D)—

(i) by striking ''genitals'' and inserting ''anus, genitals,''; and

(ii) by striking ''or animal'';

(D) in paragraph (6), by striking ''child prostitution'' and inserting ''child sex trafficking'';

(E) in paragraph (8), by striking ''the term 'child abuse''' and inserting ''the terms 'physical injury' and 'psychological abuse''';

(F) in paragraph (9)—

(i) in subparagraph (A)—

(I) by striking ''minor'' and inserting ''child''; and

(II) by striking ''or'' at the end;

(ii) in subparagraph (B), by adding ''or'' at the end; and

(iii) by adding at the end the following:

''(C) is authorized to interact with a child by a covered program that is providing any care, treatment, education, training, instruction, religious guidance, supervision, or recreational opportunities to that child;'';

(G) in paragraph (11), by striking ''and'' at the end;

(H) in paragraph (12), by striking the period and inserting a semicolon; and

(I) by adding at the end the following:

''(13) the term 'child' means a person who is under the age of 18;

''(14) the term 'computer' has the meaning given the term in section 1030 of title 18, United States Code;

''(15) the term 'covered program' means any program that receives, in any 1-year period, benefits in excess of $10,000 under a Federal program involving a grant (not including a formula grant to a State, territory, or Tribe), contract, subsidy, loan, guarantee, insurance, or other form of Federal assistance to provide any care, treatment, education, training, instruction, religious guidance, supervision, or recreational opportunities to a child; and

''(16) the term 'privileged communication' means any communication between 2 parties that, under any applicable law where the communication takes place—

''(A) is recognized as privileged;

''(B) is not subject to any exception; and

''(C) is not subject to a reporting requirement regardless of any applicable privilege.'';

(4) in subsection (d)—

(A) in the first sentence, by striking ''an agency'' and inserting ''one or more agencies''; and

(B) by striking ''and law enforcement personnel'' and inserting '', law enforcement personnel, and children's advocacy center personnel in a multidisciplinary team setting'';

(5) in subsection (i)—

(A) in the heading, by striking ''RULE'' and inserting ''RULES'';

(B) by striking ''Nothing'' and inserting the following:

''(1) APPLICABILITY TO VICTIMS.—Nothing''; and

(C) by adding at the end the following:

''(2) APPLICABILITY TO ATTORNEYS.—Nothing in this section shall be construed to require a licensed attorney to take any action that would violate any applicable rule of professional conduct.

''(3) PRIVILEGED COMMUNICATIONS.—Nothing in this section shall be construed to require a covered individual described in subsection (c)(9)(C) who engages in privileged communication through the covered individual's work for the covered program, whether or not for compensation, to report any information exclusively received in the context of a privileged communication.''; and

(6) by adding at the end the following:

''(j) OUTREACH TO COVERED PROGRAMS.—

''(1) IN GENERAL.—Each Federal agency that has provided Federal assistance to a program that may cause the program to qualify as a covered program shall make reasonable efforts to promote awareness of the reporting requirements under subsection (a) among such programs.

''(2) RULE OF CONSTRUCTION.—Paragraph (1) shall not be construed to require individual notice to each program to which a Federal agency has provided Federal assistance as described in that paragraph.''.

(b) CONFORMING AMENDMENT TO TITLE 18, UNITED STATES CODE.—Section 2258 of title 18, United States Code, is amended to read as follows:

''§ 2258. Failure to report child abuse

''(a) DEFINITIONS.—In this section, the terms 'child abuse' and 'covered individual' have the meanings given those terms in section 226 of the Victims of Child Abuse Act of 1990 (34 U.S.C. 20341).

''(b) OFFENSES.—

''(1) COVERED PROFESSIONALS.—It shall be unlawful for a person who, while engaged in a professional capacity or activity described in subsection (b) of section 226 of the Victims of Child Abuse Act of 1990 (34 U.S.C. 20341) on Federal land or in a federally operated (or contracted) facility, learns of facts that give reason to suspect that a child has suffered an incident of child abuse, to knowingly fail to make a timely report as required by subsection (a)(1) of that section.

''(2) COVERED INDIVIDUALS.—It shall be unlawful for a covered individual who learns of facts that give reason to suspect that a child has suffered an incident of child abuse described in subsection (c) to knowingly fail to make a timely report as required by subsection (a)(2) of section 226 of the Victims of Child Abuse Act of 1990 (34 U.S.C. 20341).

''(c) INCIDENTS OF CHILD ABUSE THAT COVERED INDIVIDUALS MUST REPORT.—An incident of child abuse referred to in subsection (b)(2) is an incident of child abuse that—

''(1) occurred within the United States; or

''(2)(A) occurred outside the United States; and

''(B) was committed by a United States citizen or an alien lawfully admitted for permanent residence.

''(d) PENALTY.—A person or individual who violates subsection (b) shall be fined under this title or imprisoned not more than 1 year or both.''.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by subsections (a) and (b) shall take effect on the date that is 120 days after the date of enactment of this Act.

(2) OUTREACH.—The amendment made by subsection (a)(5) shall take effect on the date of enactment of this Act.

(d) ICAC TASK FORCE SUPPLEMENTAL GRANT PROGRAM.—

(1) DEFINITIONS.—In this subsection:

(A) CHILD.—The term ''child'' means an individual who has not attained 18 years of age.

(B) CHILD ABUSE.—The term ''child abuse''—

(i) has the meaning given the term under any applicable State law requiring reporting of child abuse or neglect by individuals; or

(ii) in the case of a State in which a law described in clause (i) that defines ''child abuse'' is not in effect, has the meaning given the term in section 226(c) of the Victims of Child Abuse Act of 1990 (34 U.S.C. 20341(c)).

(C) COVERED ENTITY.—The term ''covered entity'' means any institution, program, or organization that provides any care, treatment, education, training, instruction, religious guidance, supervision, or recreational opportunities to a child.

(D) ICAC GRANT PROGRAM.—The term ''ICAC Grant Program'' means the grant program under section 106 of the PROTECT Our Children Act of 2008 (34 U.S.C. 21116).

(E) ICAC TASK FORCE.—The term ''ICAC Task Force'' means a task force that is part of the National Internet Crimes Against Children Task Force Program established under section 102 of the PROTECT Our Children Act of 2008 (34 U.S.C. 21112).

(F) ELIGIBLE ICAC TASK FORCE.—The term ''Eligible ICAC Task Force'' means an ICAC Task Force that—

(i) was established on or before the date of enactment of this Act; and

(ii) is located in a State that, as of the last day of the preceding fiscal year, had in effect a law that, at a minimum—

(I) with respect to a mandatory reporter who learns of facts that give reason to suspect that a child has suffered an incident of child abuse, requires the mandatory reporter to report the suspected child abuse to a law enforcement agency, a child protective services agency, or both;

(II) requires the report described in subclause (I) to be made as soon as possible, and in any event not later than 48 hours after the mandatory reporter learns of the facts that give reason to suspect that a child has suffered an incident of child abuse;

(III) prohibits a covered entity from—

(aa) taking any action to prevent or discourage reporting of child abuse; or

(bb) retaliating against a mandatory reporter for making a report described in subclause (I); and

(IV) provides a criminal, civil, or administrative penalty for the knowing failure by a mandatory reporter to submit a report in accordance with the requirement described in subclause (I).

(G) MANDATORY REPORTER.—The term ''mandatory reporter'' means an individual who—

(i) has attained the age of 18 years; and

(ii) is authorized to interact with a child by a covered entity that is providing any care, treatment, education, training, instruction, religious guidance, supervision, or recreational opportunities to that child.

(H) PRIVILEGED COMMUNICATION.—The term ''privileged communication'' means any communication between 2 parties that, under any applicable law where the communication takes place—

(i) is recognized as privileged;

(ii) is not subject to any exception; and

(iii) is not subject to a reporting requirement regardless of any applicable privilege.

(2) WAIVER OF MATCH FOR ELIGIBLE ICAC TASK FORCES.—The Attorney General shall waive the matching requirement for an Eligible ICAC Task Force under section 106(a)(3)(B) of the PROTECT Our Children Act of 2008 (34 U.S.C. 21116(a)(3)(B)) for not more than 4 fiscal years in accordance with this subsection.

(3) ESTABLISHMENT OF ICAC TASK FORCE SUPPLEMENTAL GRANT PROGRAM.—

(A) SUPPLEMENTAL GRANT PROGRAM ESTABLISHED.—There is established an ICAC Task Force Supplemental Grant Program within the Department of Justice, under which the Attorney General shall award grants (referred to in this subsection as ''supplemental grants'') to an Eligible ICAC Task Force in addition to any grants distributed to the Eligible ICAC Task Force under the ICAC Grant Program.

(B) GRANT AMOUNT.—The amount of a supplemental grant awarded to an Eligible ICAC Task Force shall be not less than 10 percent of the average amount of the 3 most recent awards to the Eligible ICAC Task Force under the ICAC Grant Program.

(C) REMAINING FUNDS.—Any amounts appropriated to carry out this subsection that are not used for supplemental grants shall be distributed to any Eligible ICAC Task Force in accordance with section 106(a)(3)(A) of the PROTECT Our Children Act of 2008 (34 U.S.C. 21116(a)(3)(A)).

(D) NUMBER OF SUPPLEMENTAL GRANTS.—The Attorney General may provide a supplemental grant to an Eligible ICAC Task Force for not more than 4 fiscal years.

(4) APPLICATION.—An Eligible ICAC Task Force seeking the waiver described in paragraph (2) or a supplemental grant shall submit an application to the Attorney General at such time, in such manner, and containing such information as the Attorney General may reasonably require, including information about the law described in paragraph (1)(F)(ii).

(5) RULE OF CONSTRUCTION.—Nothing in paragraph (1)(F)(ii) shall be construed to require a State to have in effect a law that requires an individual who engages in privileged communication through the individual's work for a covered entity, whether or not for compensation, to report any information exclusively received in the context of a privileged communication.

(6) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $25,000,000 for each of fiscal years 2024 through 2029.

SEC. 3. PROTECTING CHILD VICTIMS AND WITNESSES IN FEDERAL COURT.

(a) IN GENERAL.—Section 3509 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (2)(A), by striking ''or exploitation'' and inserting ''exploitation, or kidnapping, including international parental kidnapping'';

(B) in paragraph (3), by striking ''physical or mental injury'' and inserting ''physical injury, psychological abuse'';

(C) by striking paragraph (5) and inserting the following:

''(5) the term 'psychological abuse' includes—

''(A) a pattern of acts, threats of acts, or coercive tactics intended to degrade, humiliate, intimidate, or terrorize a child; and

''(B) the infliction of trauma on a child through—

''(i) isolation;

''(ii) the withholding of food or other necessities in order to control behavior;

''(iii) physical restraint; or

''(iv) the confinement of the child without the child's consent and in degrading conditions;'';

(D) in paragraph (6), by striking ''child prostitution'' and inserting ''child sex trafficking'';

(E) by striking paragraph (7) and inserting the following:

''(7) the term 'multidisciplinary child abuse team' means a professional unit of individuals working together to investigate child abuse and provide assistance and support to a victim of child abuse, composed of representatives from—

''(A) health, social service, and legal service agencies that represent the child;

''(B) law enforcement agencies and prosecutorial offices; and

''(C) children's advocacy centers;'';

(F) in paragraph (9)(D)—

(i) by striking ''genitals'' and inserting ''anus, genitals,''; and

(ii) by striking ''or animal'';

(G) in paragraph (11), by striking ''and'' at the end;

(H) in paragraph (12)—

(i) by striking ''the term 'child abuse' does not'' and inserting ''the terms 'physical injury' and 'psychological abuse' do not''; and

(ii) by striking the period and inserting a semicolon; and

(I) by adding at the end the following:

''(13) the term 'covered person' means a person of any age who—

''(A) is or is alleged to be—

''(i) a victim of a crime of physical abuse, sexual abuse, exploitation, or kidnapping, including international parental kidnapping; or

''(ii) a witness to a crime committed against another person; and

''(B) was under the age of 18 when the crime described in subparagraph (A) was committed; and

''(14) the term 'protected information', with respect to a covered person, includes—

''(A) personally identifiable information of the covered person, including—

''(i) the name of the covered person;

''(ii) an address;

''(iii) a phone number;

''(iv) a user name or identifying information for an online, social media, or email account; and

''(v) any information that can be used to distinguish or trace the identity of the covered person, either alone or when combined with other information that is linked or linkable to the covered person;

''(B) medical, dental, behavioral, psychiatric, or psychological information of the covered person;

''(C) educational or juvenile justice records of the covered person; and

''(D) any other information concerning the covered person that is deemed 'protected information' by order of the court under subsection (d)(5).'';

(2) in subsection (b)—

(A) in paragraph (1)(C), by striking ''minor'' and inserting ''child''; and

(B) in paragraph (2)—

(i) in the heading, by striking ''VIDEOTAPED'' and inserting ''RECORDED'';

(ii) in subparagraph (A), by striking ''that the deposition be recorded and preserved on videotape'' and inserting ''that a video recording of the deposition be made and preserved'';

(iii) in subparagraph (B)—

(I) in clause (ii), by striking ''that the child's deposition be taken and preserved by videotape'' and inserting ''that a video recording of the child's deposition be made and preserved'';

(II) in clause (iii)—

(aa) in the matter preceding subclause (I), by striking ''videotape'' and inserting ''recorded''; and

(bb) in subclause (IV), by striking ''videotape'' and inserting ''recording''; and

(III) in clause (v)—

(aa) in the heading, by striking ''VIDEOTAPE'' and inserting ''VIDEO RECORDING'';

(bb) in the first sentence, by striking ''made and preserved on video tape'' and inserting ''recorded and preserved''; and

(cc) in the second sentence, by striking ''videotape'' and inserting ''video recording'';

(iv) in subparagraph (C), by striking ''child's videotaped'' and inserting ''video recording of the child's'';

(v) in subparagraph (D)—

(I) by striking ''videotaping'' and inserting ''deposition''; and

(II) by striking ''videotaped'' and inserting ''recorded'';

(vi) in subparagraph (E), by striking ''videotaped'' and inserting ''recorded''; and

(vii) in subparagraph (F), by striking ''videotape'' each place the term appears and inserting ''video recording'';

(3) in subsection (d)—

(A) in paragraph (1)(A)—

(i) in clause (i), by striking ''the name of or any other information concerning a child'' and inserting ''a covered person's protected information''; and

(ii) in clause (ii)—

(I) by striking ''documents described in clause (i) or the information in them that concerns a child'' and inserting ''a covered person's protected information''; and

(II) by striking '', have reason to know such information'' and inserting ''(including witnesses or potential witnesses), have reason to know each item of protected information to be disclosed'';

(B) in paragraph (2)—

(i) by striking ''the name of or any other information concerning a child'' each place the term appears and inserting ''a covered person's protected information'';

(ii) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and adjusting the margins accordingly;

(iii) by striking ''All papers'' and inserting the following:

''(A) IN GENERAL.—All papers''; and

(iv) by adding at the end the following:

''(B) ENFORCEMENT OF VIOLATIONS.—The court may address a violation of subparagraph (A) in the same manner as disobedience or resistance to a lawful court order under section 401(3).'';

(C) in paragraph (3)—

(i) in subparagraph (A)—

(I) by striking ''a child from public disclosure of the name of or any other information concerning the child'' and inserting ''a covered person's protected information from public disclosure''; and

(II) by striking '', if the court determines that there is a significant possibility that such disclosure would be detrimental to the child'';

(ii) in subparagraph (B)—

(I) in clause (i)—

(aa) by striking ''a child witness, and the testimony of any other witness'' and inserting ''any witness'';

(bb) by striking ''the name of or any other information concerning a child'' and inserting ''the covered person's protected information''; and

(II) in clause (ii), by striking ''child'' and inserting ''covered person''; and

(iii) by adding at the end the following:

''(C)(i) For purposes of this paragraph, there shall be a presumption that public disclosure of a covered person's protected information would be detrimental to the covered person.

''(ii) The court shall deny a motion for a protective order under subparagraph (A) only if the court finds that the party opposing the motion has rebutted the presumption under clause (i) of this subparagraph.'';

(D) in paragraph (4)—

(i) by striking ''This subsection'' and inserting the following:

''(A) DISCLOSURE TO CERTAIN PARTIES.—This subsection'';

(ii) in subparagraph (A), as so designated—

(I) by striking ''the name of or other information concerning a child'' and inserting ''a covered person's protected information''; and

(II) by striking ''or an adult attendant, or to'' and inserting ''an adult attendant, a law enforcement agency for any intelligence or investigative purpose, or''; and

(iii) by adding at the end the following:

''(B) REQUEST FOR PUBLIC DISCLOSURE.—If any party requests public disclosure of a covered person's protected information to further a public interest, the court shall deny the request unless the court finds that—

''(i) the party seeking disclosure has established that there is a compelling public interest in publicly disclosing the covered person's protected information;

''(ii) there is a substantial probability that the public interest would be harmed if the covered person's protected information is not disclosed;

''(iii) the substantial probability of harm to the public interest outweighs the harm to the covered person from public disclosure of the covered person's protected information; and

''(iv) there is no alternative to public disclosure of the covered person's protected information that would adequately protect the public interest.''; and

(E) by adding at the end the following:

''(5) OTHER PROTECTED INFORMATION.—The court may order that information shall be considered to be 'protected information' for purposes of this subsection if the court finds that the information is sufficiently personal, sensitive, or identifying that it should be subject to the protections and presumptions under this subsection.'';

(4) by striking subsection (f) and inserting the following:

''(f) VICTIM IMPACT STATEMENT.—

''(1) PROBATION OFFICER.—In preparing the presentence report pursuant to rule 32(c) of the Federal Rules of Criminal Procedure, the probation officer shall request information from the multidisciplinary child abuse team, if applicable, or other appropriate sources to determine the impact of the offense on a child victim and any other children who may have been affected by the offense.

''(2) GUARDIAN AD LITEM.—A guardian ad litem appointed under subsection (h) shall—

''(A) make every effort to obtain and report information that accurately expresses the views of a child victim, and the views of family members as appropriate, concerning the impact of the offense; and

''(B) use forms that permit a child victim to express the child's views concerning the personal consequences of the offense, at a level and in a form of communication commensurate with the child's age and ability.'';

(5) in subsection (h), by adding at the end the following:

''(4) AUTHORIZATION OF APPROPRIATIONS.—

''(A) IN GENERAL.—There is authorized to be appropriated to the United States courts to carry out this subsection $25,000,000 for each fiscal year.

''(B) SUPERVISION OF PAYMENTS.—Payments from appropriations authorized under subparagraph (A) shall be made under the supervision of the Director of the Administrative Office of the United States Courts.'';

(6) in subsection (i)—

(A) by striking ''A child testifying at or attending a judicial proceeding'' and inserting the following:

''(1) IN GENERAL.—A child testifying at a judicial proceeding, including in a manner described in subsection (b),'';

(B) in paragraph (1), as so designated—

(i) in the third sentence, by striking ''proceeding'' and inserting ''testimony''; and

(ii) by striking the fifth sentence; and

(C) by adding at the end the following:

''(2) RECORDING.—If the adult attendant is in close physical proximity to or in contact with the child while the child testifies—

''(A) at a judicial proceeding, a video recording of the adult attendant shall be made and shall become part of the court record; or

''(B) in a manner described in subsection (b), the adult attendant shall be visible on the closed-circuit television or in the recorded deposition.

''(3) COVERED PERSONS ATTENDING PROCEEDING.—A covered person shall have the right to be accompanied by an adult attendant when attending any judicial proceeding.'';

(7) in subsection (j)—

(A) by striking ''child'' each place the term appears and inserting ''covered person''; and

(B) in the fourth sentence—

(i) by striking ''and the potential'' and inserting ''the potential'';

(ii) by striking ''child's'' and inserting ''covered person's''; and

(iii) by inserting before the period at the end the following: '', and the necessity of the continuance to protect the defendant's rights'';

(8) in subsection (k), by striking ''child'' each place the term appears and inserting ''covered person''; and

(9) in subsection (l), by striking ''child'' each place the term appears and inserting ''covered person''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to conduct that occurred before, on, or after the date of enactment of this Act.

SEC. 4. FACILITATING PAYMENT OF RESTITUTION; TECHNICAL AMENDMENTS TO RESTITUTION STATUTES.

Title 18, United States Code, is amended—

(1) in section 1593(c)—

(A) by inserting ''(1)'' after ''(c)'';

(B) by striking ''chapter, including, in'' and inserting the following: ''chapter.

''(2) In''; and

(C) in paragraph (2), as so designated, by inserting ''may assume the rights of the crime victim under this section'' after ''suitable by the court'';

(2) in section 2248(c)—

(A) by striking ''For purposes'' and inserting the following:

''(1) IN GENERAL.—For purposes'';

(B) by striking ''chapter, including, in'' and inserting the following: ''chapter.

''(2) ASSUMPTION OF CRIME VICTIM'S RIGHTS.—In''; and

(C) in paragraph (2), as so designated, by inserting ''may assume the rights of the crime victim under this section'' after ''suitable by the court'';

(3) in section 2259—

(A) in subsection (b)—

(i) in paragraph (1), by striking ''DIRECTIONS.—Except as provided in paragraph (2), the'' and inserting ''RESTITUTION FOR CHILD PORNOGRAPHY PRODUCTION.—If the defendant was convicted of child pornography production, the''; and

(ii) in paragraph (2)(B), by striking ''$3,000.'' and inserting the following: ''—

''(i) $3,000; or

''(ii) 10 percent of the full amount of the victim's losses, if the full amount of the victim's losses is less than $3,000.''; and

(B) in subsection (c)—

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

''(1) CHILD PORNOGRAPHY PRODUCTION.—For purposes of this section and section 2259A, the term 'child pornography production' means—

''(A) a violation of subsection (a), (b), or (c) of section 2251, or an attempt or conspiracy to violate any of those subsections under subsection (e) of that section;

''(B) a violation of section 2251A;

''(C) a violation of section 2252(a)(4) or 2252A(a)(5), or an attempt or conspiracy to violate either of those sections under section 2252(b)(2) or 2252A(b)(2), to the extent such conduct involves child pornography—

''(i) produced by the defendant; or

''(ii) that the defendant attempted or conspired to produce;

''(D) a violation of section 2252A(g) if the series of felony violations involves not fewer than 1 violation—

''(i) described in subparagraph (A), (B), (E), or (F) of this paragraph;

''(ii) of section 1591; or

''(iii) of section 1201, chapter 109A, or chapter 117, if the victim is a minor;

''(E) a violation of subsection (a) of section 2260, or an attempt or conspiracy to violate that subsection under subsection (c)(1) of that section;

''(F)(i) a violation of section 2260B(a)(2) for promoting or facilitating an offense—

''(I) described in subparagraph (A), (B), (D), or (E) of this paragraph; or

''(II) under section 2422(b); or

''(ii) attempting or conspiring to promote or facilitate an offense described in clause (i) of this subparagraph under section 2260B(b); and

''(G) a violation of chapter 109A or chapter 117, if the offense involves the production or attempted production of, or conspiracy to produce, child pornography.''; and

(ii) by striking paragraph (3) and inserting the following:

''(3) TRAFFICKING IN CHILD PORNOGRAPHY.—For purposes of this section and section 2259A, the term 'trafficking in child pornography' means—

''(A) a violation of subsection (d) of section 2251 or an attempt or conspiracy to violate that subsection under subsection (e) of that section;

''(B) a violation of paragraph (1), (2), or (3) of subsection (a) of section 2252, or an attempt or conspiracy to violate any of those paragraphs under subsection (b)(1) of that section;

''(C) a violation of section 2252(a)(4) or 2252A(a)(5), or an attempt or conspiracy to violate either of those sections under section 2252(b)(2) or 2252A(b)(2), to the extent such conduct involves child pornography—

''(i) not produced by the defendant; or

''(ii) that the defendant did not attempt or conspire to produce;

''(D) a violation of paragraph (1), (2), (3), (4), or (6) of subsection (a) of section 2252A, or an attempt or conspiracy to violate any of those paragraphs under subsection (b)(1) of that section;

''(E) a violation of subsection (a)(7) of section 2252A, or an attempt or conspiracy to violate that subsection under subsection (b)(3) of that section;

''(F) a violation of section 2252A(g) if the series of felony violations exclusively involves violations described in this paragraph;

''(G) a violation of subsection (b) of section 2260, or an attempt or conspiracy to violate that subsection under subsection (c)(2) of that section;

''(H)(i) a violation of subsection (a)(1) of section 2260B, or a violation of subsection (a)(2) of that section for promoting or facilitating an offense described in this paragraph; or

''(ii) an attempt or conspiracy to commit the conduct described in clause (i) of this subparagraph under section 2260B(b).'';

(4) in section 2259A(a)—

(A) in paragraph (1), by striking ''under section 2252(a)(4) or 2252A(a)(5)'' and inserting ''described in section 2259(c)(3)(C)''; and

(B) in paragraph (2), by striking ''any other offense for trafficking in child pornography'' and inserting ''any offense for trafficking in child pornography other than an offense described in section 2259(c)(3)(C)'';

(5) in section 2429—

(A) in subsection (b)(3), by striking ''2259(b)(3)'' and inserting ''2259(c)(2)''; and

(B) in subsection (d)—

(i) by inserting ''(1)'' after ''(d)'';

(ii) by striking ''chapter, including, in'' and inserting the following: ''chapter.

''(2) In''; and

(iii) in paragraph (2), as so designated, by inserting ''may assume the rights of the crime victim under this section'' after ''suitable by the court''; and

(6) in section 3664, by adding at the end the following:

''(q) TRUSTEE OR OTHER FIDUCIARY.—

''(1) IN GENERAL.—

''(A) APPOINTMENT OF TRUSTEE OR OTHER FIDUCIARY.—When the court issues an order of restitution under section 1593, 2248, 2259, 2429, or 3663, or subparagraphs (A)(i) and (B) of section 3663A(c)(1), for a victim described in subparagraph (B) of this paragraph, the court, at its own discretion or upon motion by the Government, may appoint a trustee or other fiduciary to hold any amount paid for restitution in a trust or other official account for the benefit of the victim.

''(B) COVERED VICTIMS.—A victim referred to in subparagraph (A) is a victim who is—

''(i) under the age of 18 at the time of the proceeding;

''(ii) incompetent or incapacitated; or

''(iii) subject to paragraph (3), a foreign citizen or stateless person residing outside the United States.

''(2) ORDER.—When the court appoints a trustee or other fiduciary under paragraph (1), the court shall issue an order specifying—

''(A) the duties of the trustee or other fiduciary, which shall require—

''(i) the administration of the trust or maintaining an official account in the best interests of the victim; and

''(ii) disbursing payments from the trust or account—

''(I) to the victim; or

''(II) to any individual or entity on behalf of the victim;

''(B) that the trustee or other fiduciary—

''(i) shall avoid any conflict of interest;

''(ii) may not profit from the administration of the trust or maintaining an official account for the benefit of the victim other than as specified in the order; and

''(iii) may not delegate administration of the trust or maintaining the official account to any other person;

''(C) if and when the trust or the duties of the other fiduciary will expire; and

''(D) the fees payable to the trustee or other fiduciary to cover expenses of administering the trust or maintaining the official account for the benefit of the victim, and the schedule for payment of those fees.

''(3) FACT-FINDING REGARDING FOREIGN CITIZENS AND STATELESS PERSON.—In the case of a victim who is a foreign citizen or stateless person residing outside the United States and is not under the age of 18 at the time of the proceeding or incompetent or incapacitated, the court may appoint a trustee or other fiduciary under paragraph (1) only if the court finds it necessary to—

''(A) protect the safety or security of the victim; or

''(B) provide a reliable means for the victim to access or benefit from the restitution payments.

''(4) PAYMENT OF FEES.—

''(A) IN GENERAL.—The court may, with respect to the fees of the trustee or other fiduciary—

''(i) pay the fees in whole or in part; or

''(ii) order the defendant to pay the fees in whole or in part.

''(B) APPLICABILITY OF OTHER PROVISIONS.—With respect to a court order under subparagraph (A)(ii) requiring a defendant to pay fees—

''(i) subsection (f)(3) shall apply to the court order in the same manner as that subsection applies to a restitution order;

''(ii) subchapter C of chapter 227 (other than section 3571) shall apply to the court order in the same manner as that subchapter applies to a sentence of a fine; and

''(iii) subchapter B of chapter 229 shall apply to the court order in the same manner as that subchapter applies to the implementation of a sentence of a fine.

''(C) EFFECT ON OTHER PENALTIES.—Imposition of payment under subparagraph (A)(ii) shall not relieve a defendant of, or entitle a defendant to a reduction in the amount of, any special assessment, restitution, other fines, penalties, or costs, or other payments required under the defendant's sentence.

''(D) SCHEDULE.—Notwithstanding any other provision of law, if the court orders the defendant to make any payment under subparagraph (A)(ii), the court may provide a payment schedule that is concurrent with the payment of any other financial obligation described in subparagraph (C).

''(5) AUTHORIZATION OF APPROPRIATIONS.—

''(A) IN GENERAL.—There is authorized to be appropriated to the United States courts to carry out this subsection $15,000,000 for each fiscal year.

''(B) SUPERVISION OF PAYMENTS.—Payments from appropriations authorized under subparagraph (A) shall be made under the supervision of the Director of the Administrative Office of the United States Courts.''.

SEC. 5. CYBERTIPLINE IMPROVEMENTS, AND ACCOUNTABILITY AND TRANSPARENCY BY THE TECH INDUSTRY.

(a) IN GENERAL.—Chapter 110 of title 18, United States Code, is amended—

(1) in section 2258A—

(A) by striking subsections (a), (b), and (c) and inserting the following:

''(a) DUTY TO REPORT.—

''(1) DUTY.—In order to reduce the proliferation of online child exploitation and to prevent the online sexual exploitation of children, as soon as reasonably possible after obtaining actual knowledge of any facts or circumstances described in paragraph (2) or any apparent child pornography on the provider's service, network, or platform, and in any event not later than 60 days after obtaining such knowledge, a provider shall—

''(A) submit to the CyberTipline of NCMEC, or any successor to the CyberTipline operated by NCMEC, a report containing—

''(i) the mailing address, telephone number, facsimile number, electronic mailing address of, and individual point of contact for, such provider; and

''(ii) information described in subsection (b) concerning such facts or circumstances or apparent child pornography; and

''(B) if applicable, remove the apparent child pornography that is the subject of the report described in subparagraph (A), if such child pornography is publicly available.

''(2) FACTS OR CIRCUMSTANCES.—The facts or circumstances described in this paragraph are any facts or circumstances indicating an apparent, planned, or imminent violation of section 2251, 2251A, 2252, 2252A, 2252B, or 2260.

''(3) PERMITTED ACTIONS BASED ON REASONABLE BELIEF.—In order to reduce the proliferation of online child exploitation and to prevent the online sexual exploitation of children, if a provider has a reasonable belief that any facts or circumstances described in paragraph (2) exist, the provider may submit to the CyberTipline of NCMEC, or any successor to the CyberTipline operated by NCMEC, a report described in paragraph (1)(A).

''(b) CONTENTS OF REPORT.—

''(1) IN GENERAL.—In an effort to prevent the future sexual victimization of children, and to the extent the information is within the custody or control of a provider, each report provided under subsection (a)(1)(A)—

''(A) shall include, to the extent that it is applicable and reasonably available—

''(i) identifying information regarding any individual who is the subject of the report, including name, address, electronic mail address, user or account identification, Internet Protocol address, and uniform resource locator;

''(ii) the terms of service in effect at the time of—

''(I) the apparent violation; or

''(II) the detection of apparent child pornography or a planned or imminent violation;

''(iii) a copy of any apparent child pornography that is the subject of the report that was identified in a publicly available location;

''(iv) for each item of apparent child pornography included in the report under clause (iii) or paragraph (2)(C), information indicating whether—

''(I) the reported child pornography was publicly available; or

''(II) the provider, in its sole discretion, viewed the reported child pornography, or any copy thereof, at any point concurrent with or prior to the submission of the report; and

''(v) for each item of apparent child pornography that is the subject of the report, an indication as to whether the child pornography—

''(I) has previously been the subject of a report under paragraph (1)(A) or (3) of subsection (a); or

''(II) is the subject of multiple contemporaneous reports due to rapid and widespread distribution; and

''(B) may, at the sole discretion of the provider, include the information described in paragraph (2) of this subsection.

''(2) OTHER INFORMATION.—The information referred to in paragraph (1)(B) is the following:

''(A) HISTORICAL REFERENCE.—Information relating to when and how a customer or subscriber of a provider uploaded, transmitted, or received content relating to the report or when and how content relating to the report was reported to, or discovered by the provider, including a date and time stamp and time zone.

''(B) GEOGRAPHIC LOCATION INFORMATION.—Information relating to the geographic location of the involved individual or website, which may include the Internet Protocol address or verified address, or, if not reasonably available, at least one form of geographic identifying information, including area code or zip code, provided by the customer or subscriber, or stored or obtained by the provider.

''(C) APPARENT CHILD PORNOGRAPHY.—Any apparent child pornography not described in paragraph (1)(A)(iii), or other content related to the subject of the report.

''(D) COMPLETE COMMUNICATION.—The complete communication containing any apparent child pornography or other content, including—

''(i) any data or information regarding the transmission of the communication; and

''(ii) any visual depictions, data, or other digital files contained in, or attached to, the communication.

''(E) TECHNICAL IDENTIFIER.—An industry-standard hash value or other similar industry-standard technical identifier for any reported visual depiction as it existed on the provider's service, network, or platform.

''(F) DESCRIPTION.—For any item of apparent child pornography that is the subject of the report, an indication of whether—

''(i) the depicted sexually explicit conduct involves—

''(I) genital, oral, or anal sexual intercourse;

''(II) bestiality;

''(III) masturbation;

''(IV) sadistic or masochistic abuse; or

''(V) lascivious exhibition of the anus, genitals, or pubic area of any person; and

''(ii) the depicted minor is—

''(I) an infant or toddler;

''(II) prepubescent;

''(III) pubescent;

''(IV) post-pubescent; or

''(V) of an indeterminate age or developmental stage.'';

''(c) FORWARDING OF REPORT AND OTHER INFORMATION TO LAW ENFORCEMENT.—

''(1) IN GENERAL.—Pursuant to its clearinghouse role as a private, nonprofit organization, and at the conclusion of its review in furtherance of its nonprofit mission, NCMEC shall make available each report submitted under paragraph (1)(A) or (3) of subsection (a) to one or more of the following law enforcement agencies:

''(A) Any Federal law enforcement agency that is involved in the investigation of child sexual exploitation, kidnapping, or enticement crimes.

''(B) Any State or local law enforcement agency that is involved in the investigation of child sexual exploitation.

''(C) A foreign law enforcement agency designated by the Attorney General under subsection (d)(3) or a foreign law enforcement agency that has an established relationship with the Federal Bureau of Investigation, Immigration and Customs Enforcement, or INTERPOL, and is involved in the investigation of child sexual exploitation, kidnapping, or enticement crimes.

''(2) TECHNICAL IDENTIFIERS.—If a report submitted under paragraph (1)(A) or (3) of subsection (a) contains an industry-standard hash value or other similar industry-standard technical identifier—

''(A) NCMEC may compare that hash value or identifier with any database or repository of visual depictions owned or operated by NCMEC; and

''(B) if the comparison under subparagraph (A) results in a match, NCMEC may include the matching visual depiction from its database or repository when forwarding the report to an agency described in subparagraph (A) or (B) of paragraph (1).'';

(B) in subsection (d)—

(i) in paragraph (2), by striking ''subsection (c)(1)'' and inserting ''subsection (c)(1)(A)''; and

(ii) in paragraph (3)—

(I) in subparagraph (A), by striking ''subsection (c)(3)'' and inserting ''subsection (c)(1)(C)''; and

(II) in subparagraph (C), by striking ''subsection (c)(3)'' and inserting ''subsection (c)(1)(C)'';

(C) by striking subsection (e) and inserting the following:

''(e) FAILURE TO COMPLY WITH REQUIREMENTS.—

''(1) CRIMINAL PENALTY.—

''(A) OFFENSE.—It shall be unlawful for a provider to knowingly—

''(i) fail to submit a report under subsection (a)(1)(A) within the time period required by that subsection; or

''(ii) fail to preserve material as required under subsection (h).

''(B) PENALTY.—

''(i) IN GENERAL.—A provider that violates subparagraph (A) shall be fined—

''(I) in the case of an initial violation, not more than $150,000; and

''(II) in the case of any second or subsequent violation, not more than $300,000.

''(ii) HARM TO INDIVIDUALS.—The maximum fine under clause (i) shall be tripled if an individual is harmed as a direct and proximate result of the applicable violation.

''(2) CIVIL PENALTY.—

''(A) VIOLATIONS RELATING TO CYBERTIPLINE REPORTS, CONTENT REMOVAL, AND MATERIAL PRESERVATION.—A provider shall be liable to the United States Government for a civil penalty in an amount of not less than $50,000 and not more than $100,000 if the provider knowingly—

''(i) fails to submit a report under subsection (a)(1)(A) within the time period required by that subsection;

''(ii) fails to remove apparent child pornography as required under subsection (a)(1)(B);

''(iii) fails to preserve material as required under subsection (h); or

''(iv) submits a report under subsection (a)(1)(A) that—

''(I) contains materially false or fraudulent information; or

''(II) omits information described in subsection (b)(1)(A) that is reasonably available.

''(B) ANNUAL REPORT VIOLATIONS.—A provider shall be liable to the United States Government for a civil penalty in an amount of not less than $100,000 and not more than $1,000,000 if the provider knowingly—

''(i) fails to submit an annual report as required under subsection (i); or

''(ii) submits an annual report under subsection (i) that—

''(I) contains a materially false, fraudulent, or misleading statement; or

''(II) omits information described in subsection (i)(1) that is reasonably available.

''(C) HARM TO INDIVIDUALS.—The amount of a civil penalty under subparagraph (A) or (B) shall be tripled if an individual is harmed as a direct and proximate result of the applicable violation.

''(D) COSTS OF CIVIL ACTIONS.—A provider that commits a violation described in subparagraph (A) or (B) shall be liable to the United States Government for the costs of a civil action brought to recover a civil penalty under that subparagraph.

''(E) ENFORCEMENT.—This paragraph shall be enforced in accordance with sections 3731, 3732, and 3733 of title 31, except that a civil action to recover a civil penalty under subparagraph (A) or (B) of this paragraph may only be brought by the United States Government.

''(3) DEPOSIT OF FINES AND PENALTIES.—Notwithstanding any other provision of law, any criminal fine or civil penalty collected under this subsection shall be deposited into the Child Pornography Victims Reserve as provided in section 2259B.'';

(D) in subsection (f), by striking paragraph (3) and inserting the following:

''(3) affirmatively search, screen, or scan for—

''(A) facts or circumstances described in subsection (a)(2);

''(B) information described in subsection (b)(2); or

''(C) any apparent child pornography, including any copy of apparent child pornography removed pursuant to subsection (a)(1)(B).'';

(E) in subsection (g)—

(i) in paragraph (2)(A)—

(I) in clause (iii), by inserting ''or personnel at a children's advocacy center'' after ''State)''; and

(II) in clause (iv), by striking ''State or subdivision of a State'' and inserting ''State, subdivision of a State, or children's advocacy center'';

(ii) in paragraph (3), in the matter preceding subparagraph (A), by inserting ''paragraph (1)(A) or (3) of'' before ''subsection (a)''; and

(iii) in paragraph (4), by striking ''subsection (a)(1)'' and inserting ''paragraph (1)(A) or (3) of subsection (a)'';

(F) in subsection (h)—

(i) in paragraph (1), by striking ''subsection (a)(1)'' and inserting ''paragraph (1)(A) or (3) of subsection (a)''; and

(ii) by adding at the end the following:

''(5) RELATION TO REPORTING REQUIREMENT.—Submission of a report as required under paragraph (1)(A) or (3) of subsection (a) does not satisfy the obligations under this subsection.''; and

(G) by adding at the end the following:

''(i) ANNUAL REPORT.—

''(1) IN GENERAL.—Not later than March 31 of the second year beginning after the date of enactment of the STOP CSAM Act of 2023, and of each year thereafter, a provider that had more than 1,000,000 unique monthly visitors or users during each month of the preceding year and accrued revenue of more than $50,000,000 during the preceding year shall submit to the Attorney General and the Chair of the Federal Trade Commission a report, disaggregated by subsidiary, that provides the following information for the preceding year to the extent such information is applicable and reasonably available:

''(A) CYBERTIPLINE DATA.—

''(i) The total number of reports that the provider submitted under paragraph (1)(A) or (3) of subsection (a).

''(ii) The total number of publicly available items of apparent child pornography that the provider removed under subsection (a)(1)(B).

''(iii) Which items of information described in subsection (b)(2) are routinely included in the reports submitted by the provider under paragraph (1)(A) or (3) of subsection (a).

''(B) REPORT AND REMOVE DATA.—With respect to section 7 of the STOP CSAM Act of 2023—

''(i) a description of the provider's designated reporting system;

''(ii) the number of notifications received;

''(iii) the number of proscribed visual depictions involving a minor that were removed; and

''(iv) the total amount of any fine ordered and paid.

''(C) OTHER REPORTING TO THE PROVIDER.—

''(i) The measures the provider has in place to receive other reports concerning child sexual exploitation and abuse using the provider's product or on the provider's service, platform, or network.

''(ii) The average time for responding to reports described in clause (i).

''(iii) The number of reports described in clause (i) that the provider received.

''(iv) A summary description of the actions taken upon receipt of the reports described in clause (i).

''(D) POLICIES.—

''(i) A description of the policies of the provider with respect to the commission of child sexual exploitation and abuse using the provider's product or on the provider's service, platform, or network, including how child sexual exploitation and abuse is defined.

''(ii) A description of possible consequences for violations of the policies described in clause (i).

''(iii) The methods of informing users of the policies described in clause (i).

''(iv) The process for adjudicating potential violations of the policies described in clause (i).

''(E) CULTURE OF SAFETY.—

''(i) The measures and technologies that the provider deploys to protect the safety of children using the provider's product, service, platform, or network.

''(ii) The measures and technologies that the provider deploys to prevent the use of the provider's product, service, platform, or network by individuals seeking to commit child sexual exploitation and abuse.

''(iii) Factors that interfere with the provider's ability to detect or evaluate instances of child sexual exploitation and abuse.

''(iv) An assessment of the efficacy of the measures and technologies described in clauses (i) and (ii) and the impact of the factors described in clause (iii).

''(F) SAFETY BY DESIGN.—The measures that the provider takes before launching a new product, service, platform, or network to assess—

''(i) the safety risks for children; and

''(ii) whether and how individuals could use the new product, service, platform, or network to commit child sexual exploitation and abuse.

''(G) TRENDS AND PATTERNS.—Any information concerning emerging trends and changing patterns with respect to online child safety and the commission of child sexual exploitation and abuse.

''(2) AVOIDING DUPLICATION.—For purposes of subparagraphs (D) through (G) of paragraph (1), in the case of any report submitted under that paragraph after the initial report, a provider shall only be required to submit new or updated information described in those subparagraphs.

''(3) LIMITATION.—Nothing in paragraph (1) shall require the disclosure of trade secrets or other proprietary information.

''(4) PUBLICATION.—

''(A) IN GENERAL.—The Attorney General and the Chair of the Federal Trade Commission shall publish the reports received under this subsection.

''(B) REDACTION.—A provider may request the redaction of any information that is law enforcement sensitive or otherwise not suitable for public distribution, and the Attorney General and Chair of the Federal Trade Commission may, in their discretion, redact any such information, whether or not requested.'';

(2) in section 2258B—

(A) in subsection (a)—

(i) by striking ''may not be brought in any Federal or State court''; and

(ii) by striking ''Except as provided in subsection (b), a civil claim or criminal charge'' and inserting the following:

''(1) LIMITED LIABILITY.—Except as provided in subsection (b), a civil claim or criminal charge described in paragraph (2) may not be brought in any Federal or State court.

''(2) COVERED CLAIMS AND CHARGES.—A civil claim or criminal charge referred to in paragraph (1) is a civil claim or criminal charge'';

and

(B) in subsection (b)(1), by inserting ''or knowingly failed to comply with a requirement under section 2258A'' after ''misconduct'';

(3) in section 2258C—

(A) in subsection (a)(1), by inserting ''use of the provider's products, services, platforms, or networks to commit'' after ''stop the'';

(B) in subsection (b)—

(i) by striking ''Any provider'' and inserting the following:

''(1) IN GENERAL.—Any provider'';

(ii) in paragraph (1), as so designated, by striking ''receives'' and inserting '', in its sole discretion, obtains''; and

(iii) by adding at the end the following:

''(2) LIMITATION ON SHARING WITH OTHER ENTITIES.—A provider that obtains elements under subsection (a)(1) may not distribute those elements, or make those elements available, to any other entity, except for the sole and exclusive purpose of stopping the online sexual exploitation of children.''; and

(C) in subsection (c)—

(i) by striking ''subsections'' and inserting ''subsection'';

(ii) by striking ''providers receiving'' and inserting ''a provider to obtain'';

(iii) by inserting '', or'' after ''NCMEC''; and

(iv) by inserting ''use of the provider's products, services, platforms, or networks to commit'' after ''stop the'';

(4) in section 2258E(6), by striking ''electronic communication service provider'' and inserting ''electronic communication service'';

(5) in section 2259B(a), by inserting '', any fine or penalty collected under section 2258A(e) or subparagraph (A) of section 7(g)(24) of the STOP CSAM Act of 2023 (except as provided in clauses (i) and (ii)(I) of subparagraph (B) of such section 7(g)(24))'' after ''2259A''; and

(6) by adding at the end the following:

''§ 2260B. Liability for certain child exploitation offenses

''(a) OFFENSE.—It shall be unlawful for a provider of an interactive computer service, as that term is defined in section 230 of the Communications Act of 1934 (47 U.S.C. 230), that operates through the use of any facility or means of interstate or foreign commerce or in or affecting interstate or foreign commerce, through such service to knowingly—

''(1) host or store child pornography or make child pornography available to any person; or

''(2) otherwise knowingly promote or facilitate a violation of section 2251, 2251A, 2252, 2252A, or 2422(b).

''(b) PENALTY.—A provider of an interactive computer service that violates subsection (a)—

''(1) subject to paragraph (2), shall be fined not more than $1,000,000; and

''(2) if the offense involves a conscious or reckless risk of serious personal injury or an individual is harmed as a direct and proximate result of the violation, shall be fined not more than $5,000,000.

''(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to apply to any action by a provider of an interactive computer service that is necessary to comply with a valid court order, subpoena, search warrant, statutory obligation, or preservation request from law enforcement.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 110 of title 18, United States Code, is amended by adding at the end the following:

''2260B. Liability for certain child exploitation offenses.''.

SEC. 6. EXPANDING CIVIL REMEDIES FOR VICTIMS OF ONLINE CHILD SEXUAL EXPLOITATION.

Section 2255 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) by striking ''a violation of section 1589, 1590, 1591, 2241(c), 2242, 2243, 2251, 2251A, 2252, 2252A, 2260, 2421, 2422, or 2423 of this title'' and inserting ''a child exploitation violation or conduct relating to child exploitation'';

(B) by inserting ''or conduct'' after ''as a result of such violation''; and

(C) by striking ''sue in any'' and inserting ''bring a civil action in the''; and

(2) by adding at the end the following:

''(d) DEFINITIONS.—In this section—

''(1) the term 'child exploitation violation' means a violation of section 1589, 1590, 1591, 1594(a) (involving a violation of section 1589, 1590, or 1591), 1594(b) (involving a violation of section 1589 or 1590), 1594(c), 2241, 2242, 2243, 2251, 2251A, 2252, 2252A, 2260, 2421, 2422, or 2423 of this title;

''(2) the term 'conduct relating to child exploitation' means—

''(A) with respect to a provider of an interactive computer service or a software distribution service operating through the use of any means or facility of interstate or foreign commerce, or in or affecting interstate or foreign commerce, the intentional, knowing, reckless, or negligent promotion or facilitation of conduct that violates section

1591, 1594(c), 2251, 2251A, 2252, 2252A, or 2422(b) of this title; and

''(B) with respect to a provider of an interactive computer service operating through the use of any means or facility of interstate or foreign commerce, or in or affecting interstate or foreign commerce, the intentional, knowing, reckless, or negligent hosting or storing of child pornography or making child pornography available to any person;

''(3) the term 'interactive computer service' has the meaning given that term in section 230(f) of the Communications Act of 1934 (47 U.S.C. 230(f)); and

''(4) the term 'software distribution service' means an online service, whether or not operated for pecuniary gain, from which individuals can purchase, obtain, or download software that—

''(A) can be used by an individual to communicate with another individual, by any means, to store, access, distribute, or receive any visual depiction, or to transmit any live visual depiction; and

''(B) was not developed by the software distribution service.

''(e) RELATION TO SECTION 230 OF THE COMMUNICATIONS ACT OF 1934.—Nothing in section 230 of the Communications Act of 1934 (47 U.S.C. 230) shall be construed to impair or limit any claim brought under this section for conduct relating to child exploitation.

''(f) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to apply to any action by a provider of an interactive computer service that is necessary to comply with a valid court order, subpoena, search warrant, statutory obligation, or preservation request from law enforcement.''.

SEC. 7. REPORTING AND REMOVAL OF PROSCRIBED VISUAL DEPICTIONS RELATING TO CHILDREN; ESTABLISHMENT OF CHILD ONLINE PROTECTION BOARD.

(a) FINDINGS.—Congress finds the following:

(1) Over 40 years ago, the Supreme Court of the United States ruled in New York v. Ferber, 458 U.S. 747 (1982), that child sexual abuse material (referred to in this subsection as ''CSAM'') is a ''category of material outside the protections of the First Amendment.'' The Court emphasized that children depicted in CSAM are harmed twice: first through the abuse and exploitation inherent in the creation of the materials, and then through the continued circulation of the imagery, which inflicts its own emotional and psychological injury.

(2) The Supreme Court reiterated this point 9 years ago in Paroline v. United States, 572 U.S. 434 (2014), when it explained that CSAM victims suffer ''continuing and grievous harm as a result of [their] knowledge that a large, indeterminate number of individuals have viewed and will in the future view images of the sexual abuse [they] endured.''

(3) In these decisions, the Supreme Court noted that the distribution of child sexual abuse material invades the privacy interests of the victims.

(4) The co-mingling online of CSAM with other, non-explicit depictions of the victims links the victim's identity with the images of their abuse. This further invades a victim's privacy and disrupts their sense of security, thwarting what the Supreme Court has described as ''the individual interest in avoiding disclosure of personal matters.''

(5) The internet is awash with child sexual abuse material. In 2021, the CyberTipline, operated by the National Center for Missing & Exploited Children to combat online child sexual exploitation, received reports about 39,900,000 images and 44,800,000 videos depicting child sexual abuse.

(6) Since 2017, Project Arachnid, operated by the Canadian Centre for Child Protection, has sent over 26,000,000 notices to online providers about CSAM and other exploitive material found on their platforms. According to the Canadian Centre, some providers are slow to remove the material, or take it down only for it to be reposted again a short time later.

(7) This legislation is needed to create an easy-to-use and effective procedure to get CSAM and harmful related imagery quickly taken offline and kept offline to protect children, stop the spread of illegal and harmful content, and thwart the continued invasion of the victims' privacy.

(b) IMPLEMENTATION.—

(1) IMPLEMENTATION.—Except as provided in paragraph (2), not later than 1 year after the date of enactment of this Act, the Child Online Protection Board established under subsection (d), shall begin operations, at which point providers shall begin receiving notifications as set forth in subsection (c)(2).

(2) EXTENSION.—The Commission may extend the deadline under paragraph (1) by not more than 180 days if the Commission provides notice of the extension to the public and to Congress.

(c) REPORTING AND REMOVAL OF PROSCRIBED VISUAL DEPICTIONS RELATING TO CHILDREN.—

(1) IN GENERAL.—If a provider receives a complete notification as set forth in paragraph (2)(A) that the provider is hosting a proscribed visual depiction relating to a child, not later than 48 hours after such notification is received by the provider (or, in the case of a small provider, not later than 2 business days after such notification is received by the small provider) the provider shall—

(A)(i) remove the proscribed visual depiction relating to a child; and

(ii) notify the complainant that it has done so; or

(B) notify the complainant that the provider—

(i) is unable to remove the proscribed visual depiction relating to a child using reasonable means; or

(ii) has determined that the notification is duplicative under paragraph (2)(C)(i).

(2) NOTIFICATION REQUIREMENTS.—

(A) IN GENERAL.—To be complete under this subsection, a notification must be a written communication to the designated reporting system of the provider (or, if the provider does not have a designated reporting system, a written communication that is served on the provider in accordance with subparagraph (F)) that includes the following:

(i) An identification of, and information reasonably sufficient to permit the provider to locate, the alleged proscribed visual depiction relating to a child. Such information may include, at the option of the complainant, a copy of the alleged proscribed visual depiction relating to a child or the uniform resource locator where such proscribed visual depiction is located.

(ii) The complainant's name and contact information, to include a mailing address, telephone number, and an electronic mail address, except that, if the complainant is the victim depicted in the alleged proscribed visual depiction relating to a child, the complainant may elect to use an alias, including for purposes of the signed statement described in clause (v), and omit a mailing address.

(iii) If applicable, a statement indicating that the complainant has previously notified the provider about the alleged proscribed visual depiction relating to a child which may, at the option of the complainant, include a copy of the previous notification.

(iv) A statement indicating that the complainant has a good faith belief that the information in the notification is accurate.

(v) A signed statement under penalty of perjury indicating that the notification is submitted by—

(I) the victim depicted in the alleged proscribed visual depiction relating to a child;

(II) an authorized representative of the victim depicted in the alleged proscribed visual depiction relating to a child; or

(III) a qualified organization.

(B) INCLUSION OF MULTIPLE VISUAL DEPICTIONS IN SAME NOTIFICATION.—A notification may contain information about more than one proscribed visual depiction relating to a child, but shall only be effective with respect to each proscribed visual depiction relating to a child included in the notification to the extent that the notification includes sufficient information to identify and locate such visual depiction.

(C) LIMITATION ON DUPLICATIVE NOTIFICATIONS.—

(i) IN GENERAL.—After a complainant has submitted a notification to a provider, the complainant may submit additional notifications at any time only if the subsequent notifications involve—

(I) a different proscribed visual depiction relating to a minor;

(II) the same proscribed visual depiction relating to a minor that is in a different location; or

(III) recidivist hosting.

(ii) NO OBLIGATION.—A provider who receives any additional notifications that do not comply with clause (i) shall not be required to take any additional action except—

(I) as may be required with respect to the original notification; and

(II) to notify the complainant as provided in paragraph (1)(B)(ii).

(D) INCOMPLETE OR MISDIRECTED NOTIFICATION.—

(i) REQUIREMENT TO CONTACT COMPLAINANT REGARDING INSUFFICIENT INFORMATION.—

(I) REQUIREMENT TO CONTACT COMPLAINANT.—If a notification that is submitted to a provider under this subsection does not contain sufficient information under subparagraph (A)(i) to identify or locate the visual depiction that is the subject of the notification but does contain the complainant contact information described in subparagraph (A)(ii), the provider shall, not later than 48 hours after receiving the notification (or, in the case of a small provider, not later than 2 business days after such notification is received by the small provider), contact the complainant via electronic email address to obtain such information.

(II) EFFECT OF COMPLAINANT PROVIDING SUFFICIENT INFORMATION.—If the provider is able to contact the complainant and obtain sufficient information to identify or locate the visual depiction that is the subject of the notification, the provider shall then proceed as set forth in paragraph (1), except that the applicable timeframes described in such paragraph shall commence on the day the provider receives the information needed to identify or locate the visual depiction.

(III) EFFECT OF COMPLAINANT INABILITY TO PROVIDE SUFFICIENT INFORMATION.—If the provider is able to contact the complainant but does not obtain sufficient information to identify or locate the visual depiction that is the subject of the notification, the provider shall so notify the complainant not later than 48 hours after the provider determines that it is unable to identify or locate the visual depiction (or, in the case of a small provider, not later than 2 business days after the small provider makes such determination), after which no further action by the provider is required and receipt of the notification shall not be considered in determining whether the provider has actual knowledge of any information described in the notification.

(IV) EFFECT OF COMPLAINANT FAILURE TO RESPOND.—If the complainant does not respond to the provider's attempt to contact the complainant under this clause within 14 days of such attempt, no further action by the provider is required and receipt of the notification shall not be considered in determining whether the provider has actual knowledge of any information described in the notification.

(ii) TREATMENT OF INCOMPLETE NOTIFICATION WHERE COMPLAINANT CANNOT BE CONTACTED.—If a notification that is submitted to a provider under this subsection does not contain sufficient information under subparagraph (A)(i) to identify or locate the visual depiction that is the subject of the notification and does not contain the complainant contact information described in subparagraph (A)(ii) (or if the provider is unable to contact the complainant using such information), no further action by the provider is required and receipt of the notification shall not be considered in determining whether the provider has actual knowledge of any information described in the notification.

(iii) TREATMENT OF NOTIFICATION NOT SUBMITTED TO DESIGNATED REPORTING SYSTEM.—If a provider has a designated reporting system, and a complainant submits a notification under this subsection to the provider without using such system, the provider shall not be considered to have received the notification.

(E) OPTION TO CONTACT COMPLAINANT REGARDING THE PROSCRIBED VISUAL DEPICTION INVOLVING A MINOR.—

(i) CONTACT WITH COMPLAINANT.—If the provider believes that the proscribed visual depiction involving a minor referenced in the notification does not meet the definition of such term as provided in subsection (r)(10), the provider may, not later than 48 hours after receiving the notification (or, in the case of a small provider, not later than 2 business days after such notification is received by the small provider), contact the complainant via electronic mail address to so indicate.

(ii) FAILURE TO RESPOND.—If the complainant does not respond to the provider within 14 days after receiving the notification, no further action by the provider is required and receipt of the notification shall not be considered in determining whether the provider has actual knowledge of any information described in the notification.

(iii) COMPLAINANT RESPONSE.—If the complainant responds to the provider within 14 days after receiving the notification, the provider shall then proceed as set forth in paragraph (1), except that the applicable timeframes described in such paragraph shall commence on the day the provider receives the complainant's response.

(F) SERVICE OF NOTIFICATION WHERE PROVIDER HAS NO DESIGNATED REPORTING SYSTEM; PROCESS WHERE COMPLAINANT CANNOT SERVE PROVIDER.—

(i) NO DESIGNATED REPORTING SYSTEM.—If a provider does not have a designated reporting system, a complainant may serve the provider with a notification under this subsection to the provider in the same manner that petitions are required to be served under subsection (g)(4).

(ii) COMPLAINANT CANNOT SERVE PROVIDER.—If a provider does not have a designated reporting system and a complainant cannot reasonably serve the provider with a notification as described in clause (i), the complainant may bring a petition under subsection (g)(1) without serving the provider with the notification.

(G) RECIDIVIST HOSTING.—If a provider engages in recidivist hosting of a proscribed visual depiction relating to a child, in addition to any action taken under this section, a complainant may submit a report concerning such recidivist hosting to the CyberTipline operated by the National Center for Missing and Exploited Children, or any successor to the CyberTipline operated by the National Center for Missing and Exploited Children.

(H) PRESERVATION.—A provider that receives a complete notification under this subsection shall preserve the information in such notification in accordance with the requirements of sections 2713 and 2258A(h) of title 18, United States Code. For purposes of this subparagraph, the period for which providers shall be required to preserve information in accordance with such section 2258A(h) may be extended in 90 day increments on written request by the complainant or order of the Board.

(I) NON-DISCLOSURE.—Except as otherwise provided in subsection (g)(19)(C), for 180 days following receipt of a notification under this subsection, a provider may not disclose the existence of the notification to any person or entity except to an attorney for purposes of obtaining legal advice, the Board, the Commission, a law enforcement agency described in subparagraph (A), (B), or (C) of section 2258A(g)(3) of title 18, United States Code, the National Center for Missing and Exploited Children, or as necessary to respond to legal process. Nothing in the preceding sentence shall be construed to infringe on the provider's ability to communicate general information about terms of service violations.

(d) ESTABLISHMENT OF CHILD ONLINE PROTECTION BOARD.—

(1) IN GENERAL.—There is established in the Federal Trade Commission a Child Online Protection Board, which shall administer and enforce the requirements of subsection (e) in accordance with this section.

(2) OFFICERS AND STAFF.—The Board shall be composed of 3 full-time Child Online Protection Officers who shall be appointed by the Commission in accordance with paragraph (5)(A). A vacancy on the Board shall not impair the right of the remaining Child Online Protection Officers to exercise the functions and duties of the Board.

(3) CHILD ONLINE PROTECTION ATTORNEYS.—Not fewer than 2 full-time Child Online Protection Attorneys shall be hired to assist in the administration of the Board.

(4) TECHNOLOGICAL ADVISER.—One or more technological advisers may be hired to assist with the handling of digital evidence and consult with the Child Online Protection Officers on matters concerning digital evidence and technological issues.

(5) QUALIFICATIONS.—

(A) OFFICERS.—

(i) IN GENERAL.—Each Child Online Protection Officer shall be an attorney duly licensed in at least 1 United States jurisdiction who has not fewer than 7 years of legal experience concerning child sexual abuse material and technology-facilitated crimes against children.

(ii) EXPERIENCE.—Two of the Child Online Protection Officers shall have substantial experience in the evaluation, litigation, or adjudication of matters relating to child sexual abuse material or technology-facilitated crimes against children.

(B) ATTORNEYS.—Each Child Online Protection Attorney shall be an attorney duly licensed in at least 1 United States jurisdiction who has not fewer than 3 years of substantial legal experience concerning child sexual abuse material and technology-facilitated crimes against children.

(C) TECHNOLOGICAL ADVISER.—A technological adviser shall have at least one year of specialized experience with digital forensic analysis.

(6) COMPENSATION.—

(A) CHILD ONLINE PROTECTION OFFICERS.—

(i) DEFINITION.—In this subparagraph, the term ''senior level employee of the Federal Government'' means an employee, other than employee in the Senior Executive Service, the position of whom is classified above GS–15 of the General Schedule.

(ii) PAY RANGE.—Each Child Online Protection Officer shall be compensated at a rate of pay that is not less than the minimum, and not more than the maximum, rate of pay payable for senior level employees of the Federal Government, including locality pay, as applicable.

(B) CHILD ONLINE PROTECTION ATTORNEYS.—Each Child Online Protection Attorney shall be compensated at a rate of pay that is not more than the maximum rate of pay payable for level 10 of GS–15 of the General Schedule, including locality pay, as applicable.

(C) TECHNOLOGICAL ADVISER.—A technological adviser of the Board shall be compensated at a rate of pay that is not more than the maximum rate of pay payable for level 10 of GS–14 of the General Schedule, including locality pay, as applicable.

(7) VACANCY.—If a vacancy occurs in the position of Child Online Protection Officer, the Commission shall act expeditiously to appoint an Officer for that position.

(8) SANCTION OR REMOVAL.—Subject to subsection (e)(2), the Chair of the Commission or the Commission may sanction or remove a Child Online Protection Officer.

(9) ADMINISTRATIVE SUPPORT.—The Commission shall provide the Child Online Protection Officers and Child Online Protection Attorneys with necessary administrative support, including technological facilities, to carry out the duties of the Officers and Attorneys under this section. The Department of Justice may provide equipment and guidance on the storage and handling of proscribed visual depictions relating to children.

(10) LOCATION OF BOARD.—The offices and facilities of the Child Online Protection Officers and Child Online Protection Attorneys shall be located at the headquarters or other office of the Commission.

(e) AUTHORITY AND DUTIES OF THE BOARD.—

(1) FUNCTIONS.—

(A) OFFICERS.—Subject to the provisions of this section and applicable regulations, the functions of the Officers of the Board shall be as follows:

(i) To render determinations on petitions that may be brought before the Officers under this section.

(ii) To ensure that petitions and responses are properly asserted and otherwise appropriate for resolution by the Board.

(iii) To manage the proceedings before the Officers and render determinations pertaining to the consideration of petitions and responses, including with respect to scheduling, discovery, evidentiary, and other matters.

(iv) To request, from participants and nonparticipants in a proceeding, the production of information and documents relevant to the resolution of a petition or response.

(v) To conduct hearings and conferences.

(vi) To facilitate the settlement by the parties of petitions and responses.

(vii) To impose fines as set forth in subsection (g)(24).

(viii) To provide information to the public concerning the procedures and requirements of the Board.

(ix) To maintain records of the proceedings before the Officers, certify official records of such proceedings as needed, and, as provided in subsection (g)(19)(A), make the records in such proceedings available to the public.

(x) To carry out such other duties as are set forth in this section.

(xi) When not engaged in performing the duties of the Officers set forth in this section, to perform such other duties as may be assigned by the Chair of the Commission or the Commission.

(B) ATTORNEYS.—Subject to the provisions of this section and applicable regulations, the functions of the Attorneys of the Board shall be as follows:

(i) To provide assistance to the Officers of the Board in the administration of the duties of those Officers under this section.

(ii) To provide assistance to complainants, providers, and members of the public with respect to the procedures and requirements of the Board.

(iii) When not engaged in performing the duties of the Attorneys set forth in this section, to perform such other duties as may be assigned by the Commission.

(C) DESIGNATED SERVICE AGENTS.—The Board may maintain a publicly available directory of service agents designated to receive service of petitions filed with the Board.

(2) INDEPENDENCE IN DETERMINATIONS.—

(A) IN GENERAL.—The Board shall render the determinations of the Board in individual proceedings independently on the basis of the records in the proceedings before it and in accordance with the provisions of this section, judicial precedent, and applicable regulations of the Commission.

(B) PERFORMANCE APPRAISALS.—Notwithstanding any other provision of law or any regulation or policy of the Commission, any performance appraisal of an Officer or Attorney of the Board may not consider the substantive result of any individual determination reached by the Board as a basis for appraisal except to the extent that result may relate to any actual or alleged violation of an ethical standard of conduct.

(3) DIRECTION BY COMMISSION.—Subject to paragraph (2), the Officers and Attorneys shall, in the administration of their duties, be under the supervision of the Chair of the Commission.

(4) INCONSISTENT DUTIES BARRED.—An Officer or Attorney of the Board may not undertake any duty that conflicts with the duties of the Officer or Attorney in connection with the Board.

(5) RECUSAL.—An Officer or Attorney of the Board shall recuse himself or herself from participation in any proceeding with respect to which the Officer or Attorney, as the case may be, has reason to believe that he or she has a conflict of interest.

(6) EX PARTE COMMUNICATIONS.—Except as may otherwise be permitted by applicable law, any party or interested owner involved in a proceeding before the Board shall refrain from ex parte communications with the Officers of the Board and the Commission relevant to the merits of such proceeding before the Board.

(7) JUDICIAL REVIEW.—Actions of the Officers and the Commission under this section in connection with the rendering of any determination are subject to judicial review as provided under subsection (g)(28).

(f) CONDUCT OF PROCEEDINGS OF THE BOARD.—

(1) IN GENERAL.—Proceedings of the Board shall be conducted in accordance with this section and regulations established by the Commission under this section, in addition to relevant principles of law.

(2) RECORD.—The Board shall maintain records documenting the proceedings before the Board.

(3) CENTRALIZED PROCESS.—Proceedings before the Board shall—

(A) be conducted at the offices of the Board without the requirement of in-person appearances by parties or others;

(B) take place by means of written submissions, hearings, and conferences carried out through internet-based applications and other telecommunications facilities, except that, in cases in which physical or other nontestimonial evidence material to a proceeding cannot be furnished to the Board through available telecommunications facilities, the Board may make alternative arrangements for the submission of such evidence that do not prejudice any party or interested owner; and

(C) be conducted and concluded in an expeditious manner without causing undue prejudice to any party or interested owner.

(4) REPRESENTATION.—

(A) IN GENERAL.—A party or interested owner involved in a proceeding before the Board may be, but is not required to be, represented by—

(i) an attorney; or

(ii) a law student who is qualified under applicable law governing representation by law students of parties in legal proceedings and who provides such representation on a pro bono basis.

(B) REPRESENTATION OF VICTIMS.—

(i) IN GENERAL.—A petition involving a victim under the age of 16 at the time the petition is filed shall be filed by an authorized representative, qualified organization, or a person described in subparagraph (A).

(ii) NO REQUIREMENT FOR QUALIFIED ORGANIZATIONS TO HAVE CONTACT WITH, OR KNOWLEDGE OF, VICTIM.—A qualified organization may submit a notification to a provider or file a petition on behalf of a victim without regard to whether the qualified organization has contact with the victim or knows the identity, location, or contact information of the victim.

(g) PROCEDURES TO CONTEST A FAILURE TO REMOVE A PROSCRIBED VISUAL DEPICTION RELATING TO A CHILD OR A NOTIFICATION REPORTING A PROSCRIBED VISUAL DEPICTION RELATING TO A CHILD.—

(1) PROCEDURE TO CONTEST A FAILURE TO REMOVE.—

(A) COMPLAINANT PETITION.—A complainant may file a petition to the Board claiming that, as applicable—

(i) the complainant submitted a complete notification to a provider concerning a proscribed visual depiction relating to a child, and that—

(I) the provider—

(aa) did not remove the proscribed visual depiction relating to a child within the timeframe required under subsection (c)(1)(A)(i); or

(bb) incorrectly claimed that—

(AA) the visual depiction at issue could not be located or removed through reasonable means;

(BB) the notification was incomplete; or

(CC) the notification was duplicative under subsection (c)(2)(C)(i); and

(II) did not file a timely petition to contest the notification with the Board under paragraph (2); or

(ii) a provider is hosting a proscribed visual depiction relating to a child, does not have a designated reporting system, and the complainant was unable to serve a notification on the provider under this subsection despite reasonable efforts.

(B) ADDITIONAL CLAIM.—As applicable, a petition filed under subparagraph (A) may also claim that the proscribed visual depiction relating to a child at issue in the petition involves recidivist hosting.

(C) TIMEFRAME.—

(i) IN GENERAL.—A petition under this paragraph shall be considered timely if it is filed within 30 days of the applicable start date, as defined under clause (ii).

(ii) APPLICABLE START DATE.—For purposes of clause (i), the term ''applicable start date'' means—

(I) in the case of a petition under subparagraph (A)(i) claiming that the visual depiction was not removed or that the provider made an incorrect claim relating to the visual depiction or notification, the day that the provider's option to file a petition has expired under paragraph (2)(B); and

(II) in the case of a petition under subparagraph (A)(ii) related to a notification that could not be served, the last day of the 2-week period that begins on the day on which the complainant first attempted to serve a notification on the provider involved.

(D) IDENTIFICATION OF VICTIM.—Any petition filed to the Board by the victim or an authorized representative of the victim shall include the victim's legal name. A petition filed to the Board by a qualified organization may, but is not required to, include the victim's legal name. Any petition containing the victim's legal name shall be filed under seal. The victim's legal name shall be redacted from any documents served on the provider and interested owner or made publicly available.

(E) FAILURE TO REMOVE VISUAL DEPICTIONS IN TIMELY MANNER.—A complainant may file a petition under subparagraph (A)(i) claiming that a visual depiction was not removed even if the visual depiction was removed prior to the petition being filed, so long as the petition claims that the visual depiction was not removed within the timeframe specified in subsection (c)(1).

(2) PROCEDURE TO CONTEST A NOTIFICATION.—

(A) PROVIDER PETITION.—If a provider receives a complete notification as described in subsection (c)(2) through its designated reporting system or in accordance with subsection (c)(2)(F)(i), the provider may file a petition to the Board claiming that the provider has a good faith belief that, as applicable—

(i) the visual depiction that is the subject of the notification does not constitute a proscribed visual depiction relating to a child;

(ii) the notification is frivolous or was submitted with an intent to harass the provider or any person;

(iii) the alleged proscribed visual depiction relating to a child cannot reasonably be located by the provider;

(iv) for reasons beyond the control of the provider, the provider cannot remove the proscribed visual depiction relating to a child using reasonable means; or

(v) the notification was duplicative under subsection (c)(2)(C)(i).

(B) TIMEFRAME.—

(i) IN GENERAL.—Subject to clauses (ii) and (iii), a petition contesting a notification under this paragraph shall be considered timely if it is filed by a provider not later than 14 days after the day on which the provider receives the notification or the notification is made complete under subsection (c)(2)(D)(i).

(ii) NO DESIGNATED REPORTING SYSTEM.—Subject to clause (iii), if a provider does not have a designated reporting system, a petition contesting a notification under this paragraph shall be considered timely if it is filed by a provider not later than 7 days after the day on which the provider receives the notification or the notification is made complete under subsection (c)(2)(D)(i).

(iii) SMALL PROVIDERS.—In the case of a small provider, each of the timeframes applicable under clauses (i) and (ii) shall be increased by 48 hours.

(C) TEMPORARY REMOVAL OF ALLEGED PROSCRIBED VISUAL DEPICTION RELATING TO A CHILD.—

(i) IN GENERAL.—If a provider files a petition to the Board contesting a notification solely on the basis of the reason described in subparagraph (A)(i), the provider shall disable public and user access to the alleged proscribed visual depiction relating to a child that is the subject of the notification prior to the submission of the petition and during the pendency of the adjudication, including judicial review as provided in subsection (g)(28). Such petition shall include a statement, under the penalty of perjury, that public and user access to the alleged proscribed visual depiction relating to a child has been disabled.

(ii) EFFECT OF FAILURE TO REMOVE.—

(I) IN GENERAL.—If a provider fails to comply with clause (i), the Board may—

(aa) dismiss the petition with prejudice; and

(bb) refer the matter to the Attorney General.

(II) EFFECT OF DISMISSAL.—If a provider's petition is dismissed under clause (I)(aa), the complainant may bring a petition under paragraph (1) as if the provider did not file a petition within the timeframe specified in subparagraph (B).

(iii) EFFECT ON TIMING.—The Board shall prioritize the issuance of a determination concerning any petition subject to this subparagraph to the extent possible without causing undue prejudice to any party or interested owner.

(3) COMMENCEMENT OF PROCEEDING.—

(A) IN GENERAL.—In order to commence a proceeding under this section, a petitioning party shall, subject to such additional requirements as may be prescribed in regulations established by the Commission, file a petition with the Board, that includes a statement of claims and material facts in support of each claim in the petition. A petition may set forth more than one claim. A petition shall also include information establishing that it has been filed within the applicable timeframe.

(B) REVIEW OF PETITIONS BY CHILD ONLINE PROTECTION ATTORNEYS.—Child Online Protection Attorneys may review petitions to assess whether they are complete. The Board may permit a petitioning party to refile a defective petition. The Attorney may assist the petitioning party in making any corrections.

(C) DISMISSAL.—The Board may dismiss, with or without prejudice, any petition that fails to comply with subparagraph (A).

(4) SERVICE OF PROCESS REQUIREMENTS FOR PETITIONS.—

(A) IN GENERAL.—For purposes of petitions under paragraphs (1) and (2), the petitioning party shall, at or before the time of filing a petition, serve a copy on the other party. A corporation, partnership, or unincorporated association that is subject to suit in courts of general jurisdiction under a common name shall be served by delivering a copy of the petition to its service agent, if one has been so designated.

(B) MANNER OF SERVICE.—

(i) SERVICE BY NONDIGITAL MEANS.—Service by nondigital means may be any of the following:

(I) Personal, including delivery to a responsible person at the office of counsel.

(II) By priority mail.

(III) By third-party commercial carrier for delivery within 3 days.

(ii) SERVICE BY DIGITAL MEANS.—Service of a paper may be made by sending it by any digital means, including through a provider's designated reporting system.

(iii) WHEN SERVICE IS COMPLETED.—Service by mail or by commercial carrier is complete 3 days after the mailing or delivery to the carrier. Service by digital means is complete on filing or sending, unless the party making service is notified that the paper was not received by the party served.

(C) PROOF OF SERVICE.—A petition filed under paragraph (1) or (2) shall contain—

(i) an acknowledgment of service by the person served;

(ii) proof of service consisting of a statement by the person who made service certifying—

(I) the date and manner of service;

(II) the names of the persons served; and

(III) their mail or electronic addresses, facsimile numbers, or the addresses of the places of delivery, as appropriate for the manner of service; or

(iii) a statement indicating that service could not reasonably be completed.

(D) ATTORNEYS FEES AND COSTS.—Except as otherwise provided in this subsection, all parties to a petition shall bear their own attorney fees and costs.

(5) SERVICE OF OTHER DOCUMENTS.—Documents submitted or relied upon in a proceeding, other than the petition, shall be served in accordance with regulations established by the Commission.

(6) NOTIFICATION OF RIGHT TO OPT OUT.—In order to effectuate service on a responding party, the petition shall notify the responding party of their right to opt out of the proceeding before the Board, and the consequences of opting out and not opting out, including a prominent statement that by not opting out the respondent—

(A) loses the opportunity to have the dispute decided by a court created under article III of the Constitution of the United States; and

(B) waives the right to a jury trial regarding the dispute.

(7) OPT-OUT PROCEDURE.—Within 1 week of completion of service of the petition under paragraph (4), 1 or more Officers of the Board shall hold a conference to explain that the responding party has a right to opt out of the proceeding before the Board, and describe the consequences of opting out and not opting out as described in paragraph (6). A responding party shall have a period of 30 days, beginning on the date of conference, in which to provide written notice of such choice to the petitioning party and the Child Online Protection Board. If the responding party does not submit an opt-out notice to the Child Online Protection Board within that 30-day period, the proceeding shall be deemed an active proceeding and the responding party shall be bound by the determination in the proceeding. If the responding party opts out of the proceeding during that 30-day period, the proceeding shall be dismissed without prejudice.

(8) SCHEDULING.—Upon receipt of a complete petition and at the conclusion of the opt out procedure described in paragraph (7), the Board shall issue a schedule for the future conduct of the proceeding. A schedule issued by the Board may be amended by the Board in the interests of justice.

(9) CONFERENCES.—One or more Officers of the Board may hold a conference to address case management or discovery issues in a proceeding, which shall be noted upon the record of the proceeding and may be recorded or transcribed.

(10) PARTY SUBMISSIONS.—A proceeding of the Board may not include any formal motion practice, except that, subject to applicable regulations and procedures of the Board—

(A) the parties to the proceeding and an interested owner may make requests to the Board to address case management and discovery matters, and submit responses thereto; and

(B) the Board may request or permit parties and interested owners to make submissions addressing relevant questions of fact or law, or other matters, including matters raised sua sponte by the Officers of the Board, and offer responses thereto.

(11) DISCOVERY.—

(A) IN GENERAL.—Discovery in a proceeding shall be limited to the production of relevant information and documents, written interrogatories, and written requests for admission, as provided in regulations established by the Commission, except that—

(i) upon the request of a party, and for good cause shown, the Board may approve additional relevant discovery, on a limited basis, in particular matters, and may request specific information and documents from parties in the proceeding, consistent with the interests of justice;

(ii) upon the request of a party or interested owner, and for good cause shown, the Board may issue a protective order to limit the disclosure of documents or testimony that contain confidential information;

(iii) after providing notice and an opportunity to respond, and upon good cause shown, the Board may apply an adverse inference with respect to disputed facts against a party or interested owner who has failed to timely provide discovery materials in response to a proper request for materials that could be relevant to such facts; and

(iv) an interested owner shall only produce or receive discovery to the extent it relates to whether the visual depiction at issue constitutes a proscribed visual depiction relating to a child.

(B) PRIVACY.—Any alleged proscribed visual depiction relating to a child received by the Board or the Commission as part of a proceeding shall be filed under seal and shall remain in the care, custody, and control of the Board or the Commission. For purposes of discovery, the Board or Commission shall make the proscribed visual depiction relating to a child reasonably available to the parties and interested owner but shall not provide copies. The privacy protections described in section 3509(d) of title 18, United States Code, shall apply to the Board, Commission, provider, complainant, and interested owner.

(12) RESPONSES.—The responding party may refute any of the claims or factual assertions made by the petitioning party, and may also claim that the petition was not filed in the applicable timeframe or is barred under subsection (h). If a complainant is the petitioning party, a provider may claim in response that the notification was incomplete and could not be made complete under subsection (c)(2)(D)(i). The petitioning party may refute any responses submitted by the responding party.

(13) INTERESTED OWNER.—An individual notified under paragraph (19)(C)(ii) may, within 14 days of being so notified, file a motion to join the proceeding for the limited purpose of claiming that the visual depiction at issue does not constitute a proscribed visual depiction relating to a child. The Board shall serve the motion on both parties. Such motion shall include a factual basis and a signed statement, submitted under penalty of perjury, indicating that the individual produced or created the visual depiction at issue. The Board shall dismiss any motion that does not include the signed statement or that was submitted by an individual who did not produce or create the visual depiction at issue. If the motion is granted, the interested owner may also claim that the notification and petition were filed with an intent to harass the interested owner. Any party may refute the claims and factual assertions made by the interested owner.

(14) EVIDENCE.—The Board may consider the following types of evidence in a proceeding, and such evidence may be admitted

without application of formal rules of evidence:

(A) Documentary and other nontestimonial evidence that is relevant to the petitions or responses in the proceeding.

(B) Testimonial evidence, submitted under penalty of perjury in written form or in accordance with paragraph (15), limited to statements of the parties and nonexpert witnesses, that is relevant to the petitions or responses in a proceeding, except that, in exceptional cases, expert witness testimony or other types of testimony may be permitted by the Board for good cause shown.

(15) HEARINGS.—Unless waived by all parties, the Board shall conduct a hearing to receive oral presentations on issues of fact or law from parties and witnesses to a proceeding, including oral testimony, subject to the following:

(A) Any such hearing shall be attended by not fewer than two of the Officers of the Board.

(B) The hearing shall be noted upon the record of the proceeding and, subject to subparagraph (C), may be recorded or transcribed as deemed necessary by the Board.

(C) A recording or transcript of the hearing shall be made available to any Officer of the Board who is not in attendance.

(16) VOLUNTARY DISMISSAL.—

(A) BY PETITIONING PARTY.—Upon the written request of a petitioning party, the Board shall dismiss the petition, with or without prejudice.

(B) BY RESPONDING PARTY OR INTERESTED OWNER.—Upon written request of a responding party or interested owner, the Board shall dismiss any responses to the petition, and shall consider all claims and factual assertions in the petition to be true.

(17) FACTUAL FINDINGS.—Subject to paragraph (11)(A)(iii), the Board shall make factual findings based upon a preponderance of the evidence.

(18) DETERMINATIONS.—

(A) NATURE AND CONTENTS.—A determination rendered by the Board in a proceeding shall—

(i) be reached by a majority of the Board;

(ii) be in writing, and include an explanation of the factual and legal basis of the determination; and

(iii) include a clear statement of all fines, costs, and other relief awarded.

(B) DISSENT.—An Officer of the Board who dissents from a decision contained in a determination under subparagraph (A) may append a statement setting forth the grounds for that dissent.

(19) PUBLICATION AND DISCLOSURE.—

(A) PUBLICATION.—Each final determination of the Board shall be made available on a publicly accessible website, except that the final determination shall be redacted to protect confidential information that is the subject of a protective order under paragraph (11)(A)(ii) or information protected pursuant to paragraph (11)(B) and any other information protected from public disclosure under the Federal Trade Commission Act or any other applicable provision of law.

(B) FREEDOM OF INFORMATION ACT.—All information relating to proceedings of the Board under this section is exempt from disclosure to the public under section 552(b)(3) of title 5, except for determinations, records, and information published under subparagraph (A). Any information that is disclosed under this subparagraph shall have redacted any information that is the subject of a protective order under paragraph (11)(A)(ii) or protected pursuant to paragraph (11)(B).

(C) EFFECT OF PETITION ON NON-DISCLOSURE PERIOD.—

(i) Submission of a petition extends the non-disclosure period under subsection (c)(2)(I) for the pendency of the proceeding. The provider may submit an objection to the Board that nondisclosure is contrary to the interests of justice. The complainant may, but is not required to, respond to the objection. The Board should sustain the objection unless there is reason to believe that the circumstances in section 3486(a)(6)(B) of title 18, United States Code, exist and outweigh the interests of justice.

(ii) If the Board sustains an objection to the nondisclosure period, the provider or the Board may notify the apparent owner of the visual depiction in question about the proceeding, and include instructions on how the owner may move to join the proceeding under paragraph (13).

(iii) If applicable, the nondisclosure period expires 120 after the Board's determination becomes final, except it shall expire immediately upon the Board's determination becoming final if the Board finds that the visual depiction is not a proscribed visual depiction relating to a minor.

(iv) The interested owner of a visual depiction may not bring any legal action against any party related to the proscribed visual depiction relating to a child until the Board's determination is final. Once the determination is final, the owner of the visual depiction may pursue any legal relief available under the law, subject to subsections (h), (k), and (l).

(20) RESPONDING PARTY'S DEFAULT.—If the Board finds that service of the petition on the responding party could not reasonably be completed, or the responding party has failed to appear or has ceased participating in a proceeding, as demonstrated by the responding party's failure, without justifiable cause, to meet one or more deadlines or requirements set forth in the schedule adopted by the Board, the Board may enter a default determination, including the dismissal of any responses asserted by the responding party, as follows and in accordance with such other requirements as the Commission may establish by regulation:

(A) The Board shall require the petitioning party to submit relevant evidence and other information in support of the petitioning party's claims and, upon review of such evidence and any other requested submissions from the petitioning party, shall determine whether the materials so submitted are sufficient to support a finding in favor of the petitioning party under applicable law and, if so, the appropriate relief and damages, if any, to be awarded.

(B) If the Board makes an affirmative determination under subparagraph (A), the Board shall prepare a proposed default determination, and shall provide written notice to the responding party at all addresses, including email addresses, reflected in the records of the proceeding before the Board, of the pendency of a default determination by the Board and of the legal significance of such determination. Such notice shall be accompanied by the proposed default determination and shall provide that the responding party has a period of 30 days, beginning on the date of the notice, to submit any evidence or other information in opposition to the proposed default determination.

(C) If the responding party responds to the notice provided under subparagraph (B) within the 30-day period provided in such subparagraph, the Board shall consider responding party's submissions and, after allowing the petitioning party to address such submissions, maintain, or amend its proposed determination as appropriate, and the resulting determination shall not be a default determination.

(D) If the respondent fails to respond to the notice provided under subparagraph (B), the Board shall proceed to issue the default determination. Thereafter, the respondent may only challenge such determination to the extent permitted under paragraph (28).

(21) PETITIONING PARTY OR INTERESTED OWNER'S FAILURE TO PROCEED.—If a petitioning party or interested owner who has joined the proceeding fails to proceed, as demonstrated by the failure, without justifiable cause, to meet one or more deadlines or requirements set forth in the schedule adopted by the Board, the Board may, upon providing written notice to the petitioning party or interested owner and a period of 30 days, beginning on the date of the notice, to respond to the notice, and after considering any such response, issue a determination dismissing the claims made by the petitioning party or interested owner. The Board may order the petitioning party to pay attorneys' fees and costs under paragraph (26)(B), if appropriate. Thereafter, the petitioning party may only challenge such determination to the extent permitted under paragraph (28).

(22) REQUEST FOR RECONSIDERATION.—A party or interested owner may, within 30 days after the date on which the Board issues a determination under paragraph (18), submit to the Board a written request for reconsideration of, or an amendment to, such determination if the party or interested owner identifies a clear error of law or fact material to the outcome, or a technical mistake. After providing the other parties an opportunity to address such request, the Board shall either deny the request or issue an amended determination.

(23) REVIEW BY COMMISSION.—If the Board denies a party or interested owner a request for reconsideration of a determination under paragraph (22), the party or interested owner may, within 30 days after the date of such denial, request review of the determination by the Commission in accordance with regulations established by the Commission. After providing the other party or interested owner an opportunity to address the request, the Commission shall either deny the request for review, or remand the proceeding to the Board for reconsideration of issues specified in the remand and for issuance of an amended determination. Such amended determination shall not be subject to further consideration or review, other than under paragraph (28).

(24) FAVORABLE RULING ON COMPLAINANT PETITION.—

(A) IN GENERAL.—If the Board grants a complainant's petition filed under this section, notwithstanding any other law, the Board shall—

(i) order the provider to immediately remove the proscribed visual depiction relating to a child, and to permanently delete all copies of the visual depiction known to and under the control of the provider unless the Board orders the provider to preserve the visual depiction;

(ii) impose a fine of $50,000 per proscribed visual depiction relating to a child covered by the determination, but if the Board finds that—

(I) the provider removed the proscribed visual depiction relating to a child after the period set forth in subsection (c)(1)(A)(i), but before the complainant filed a petition, such fine shall be $25,000;

(II) the provider has engaged in recidivist hosting for the first time with respect to the proscribed visual depiction relating to a child in question, such fine shall be $100,000 per proscribed visual depiction relating to a child; or

(III) the provider has engaged in recidivist hosting of the proscribed visual depiction relating to a child in question 2 or more times, such fine shall be $200,000 per proscribed visual depiction relating to a child;

(iii) order the provider to pay reasonable costs to the complainant; and

(iv) refer any matters involving intentional or willful conduct by a provider with respect to a proscribed visual depiction relating to a child, or recidivist hosting, to the Attorney General for prosecution under any applicable laws.

(B) PROVIDER PAYMENT OF FINE AND COSTS.—Notwithstanding any other law, the Board shall direct a provider to promptly pay fines and costs imposed under subparagraph (A) as follows:

(i) If the petition was filed by a victim, such fine and costs shall be paid to the victim.

(ii) If the petition was filed by an authorized representative of a victim—

(I) 30 percent of such fine shall be paid to the authorized representative and 70 percent of such fine paid to the victim; and

(II) costs shall be paid to the authorized representative.

(iii) If the petition was filed by a qualified organization—

(I) the fine shall be paid to the Child Pornography Victims Reserve as provided in section 2259B of title 18, United States Code; and

(II) costs shall be paid to the qualified organization.

(25) EFFECT OF DENIAL OF PROVIDER PETITION.—

(A) IN GENERAL.—If the Board denies a provider's petition to contest a notification filed under paragraph (2), it shall order the provider to immediately remove the proscribed visual depiction relating to a child, and to permanently delete all copies of the visual depiction known to and under the control of the provider unless the Board orders the provider to preserve the visual depiction.

(B) REFERRAL FOR FAILURE TO REMOVE MATERIAL.—If a provider does not remove and, if applicable, permanently delete a proscribed visual depiction relating to a child within 48 hours of the Board issuing a determination under subparagraph (A), or not later than 2 business days of the Board issuing a determination under subparagraph (A) concerning a small provider, the Board shall refer the matter to the Attorney General for prosecution under any applicable laws.

(C) COSTS FOR FRIVOLOUS PETITION.—If the Board finds that a provider filed a petition under paragraph (2) for a harassing or improper purpose or without reasonable basis in law or fact, the Board shall order the provider to pay the reasonable costs of the complainant.

(26) EFFECT OF DENIAL OF COMPLAINANT'S PETITION OR FAVORABLE RULING ON PROVIDER'S PETITION.—

(A) RESTORATION.—If the Board grants a provider's petition filed under paragraph (2) or if the Board denies a petition filed by the complainant under paragraph (1), the provider may restore access to any visual depiction that was at issue in the proceeding.

(B) COSTS FOR INCOMPLETE OR FRIVOLOUS NOTIFICATION AND HARASSMENT.—If, in granting or denying a petition as described in subparagraph (A), the Board finds that the notification contested in the petition could not be made complete under subsection (c)(2)(D), is frivolous, or is duplicative under subsection (c)(2)(C)(i), the Board may order the complainant to pay costs to the provider and any interested owner, which shall not exceed a total of $10,000, or, if the Board finds that the complainant filed the notification with an intent to harass the provider or any person, a total of $15,000.

(27) CIVIL ACTION; OTHER RELIEF.—

(A) IN GENERAL.—Whenever any provider or complainant fails to comply with a final determination of the Board issued under paragraph (18), the Department of Justice may commence a civil action in a district court of the United States to enforce compliance with such determination.

(B) SAVINGS CLAUSE.—Nothing in this section shall be construed to limit the authority of the Commission or Department of Justice under any other provision of law.

(28) CHALLENGES TO THE DETERMINATION.—

(A) BASES FOR CHALLENGE.—Not later than 45 days after the date on which the Board issues a determination or amended determination in a proceeding, or not later than 45 days after the date on which the Board completes any process of reconsideration or the Commission completes a review of the determination, whichever occurs later, a party may seek an order from a district court, located where the provider or complainant conducts business or resides, vacating, modifying, or correcting the determination of the Board in the following cases:

(i) If the determination was issued as a result of fraud, corruption, misrepresentation, or other misconduct.

(ii) If the Board exceeded its authority or failed to render a determination concerning the subject matter at issue.

(iii) In the case of a default determination or determination based on a failure to prosecute, if it is established that the default or failure was due to excusable neglect.

(B) PROCEDURE TO CHALLENGE.—

(i) NOTICE OF APPLICATION.—Notice of the application to challenge a determination of the Board shall be provided to all parties to the proceeding before the Board, in accordance with the procedures applicable to service of a motion in the court where the application is made.

(ii) STAYING OF PROCEEDINGS.—For purposes of an application under this paragraph, any judge who is authorized to issue an order to stay the proceedings in an any other action brought in the same court may issue an order, to be served with the notice of application, staying proceedings to enforce the award while the challenge is pending.

(29) FINAL DETERMINATION.—A determination of the Board shall be final on the date that all opportunities for a party or interested owner to seek reconsideration or review of a determination under paragraph (22) or (23), or for a party to challenge the determination under paragraph (28), have expired or are exhausted.

(h) EFFECT OF PROCEEDING.—

(1) SUBSEQUENT PROCEEDINGS.—The issuance of a final determination by the Board shall preclude the filing by any party of any subsequent petition that is based on the notification at issue in the final determination. This paragraph shall not limit the ability of any party to file a subsequent petition based on any other notification.

(2) DETERMINATION.—Except as provided in paragraph (1), the issuance of a final determination by the Board, including a default determination or determination based on a failure to prosecute, shall not preclude relitigation of any factual matter in any subsequent legal action or proceeding before any court, tribunal, or the Board, and any determination of the Board may not be cited or relied upon as legal precedent in any such legal action or proceeding except that—

(A) no party or interested owner may relitigate any allegation, factual claim, or response that was properly asserted and considered by the Board in any subsequent proceeding before the Board involving the same parties or interested owner and the same proscribed visual depiction relating to a minor; and

(B) a finding by the Board that a visual depiction constitutes a proscribed visual depiction relating to a child may not be relitigated in any civil proceeding brought by an interested owner.

(3) OTHER MATERIALS IN PROCEEDING.—A submission or statement of a party, interested owner, or witness made in connection with a proceeding before the Board, including a proceeding that is dismissed, may not serve as the basis of any action or proceeding before any court or tribunal except for any legal action related to perjury or for conduct described in subsection (k)(2) . A statement of a party, interested owner, or witness may be received as evidence, in accordance with applicable rules, in any subsequent legal action or proceeding before any court, tribunal, or the Board.

(4) FAILURE TO ASSERT RESPONSE.—Except as provided in paragraph (1), the failure or inability to assert any allegation, factual claim, or response in a proceeding before the Board shall not preclude the assertion of that response in any subsequent legal action or proceeding before any court, tribunal, or the Board.

(i) ADMINISTRATION.—The Commission may issue regulations in accordance with section 553 of title 5, United States Code, to implement this section.

(j) STUDY.—

(1) IN GENERAL.—Not later than 3 years after the date on which Child Online Protection Board issues the first determination under this section, the Commission shall conduct, and report to Congress on, a study that addresses the following:

(A) The use and efficacy of the Child Online Protection Board in expediting the removal of proscribed visual depictions relating to children and resolving disputes concerning said visual depictions, including the number of proceedings the Child Online Protection Board could reasonably administer with current allocated resources.

(B) Whether adjustments to the authority of the Child Online Protection Board are necessary or advisable, including with respect to permissible claims, responses, fines, costs, and joinder by interested parties;

(C) Whether the Child Online Protection Board should be permitted to expire, be extended, or be expanded.

(D) Such other matters as the Commission believes may be pertinent concerning the Child Online Protection Board.

(2) CONSULTATION.—In conducting the study and completing the report required under paragraph (1), the Commission shall, to the extent feasible, consult with complainants, victims, and providers to include their views on the matters addressed in the study and report.

(k) LIMITED LIABILITY.—

(1) IN GENERAL.—Except as provided in paragraph (2), a civil claim or criminal charge against the Board, a provider, a complainant, interested owner, or representative under subsection (f)(4), for distributing, receiving, accessing, or possessing a proscribed visual depiction relating to a child for the sole and exclusive purpose of complying with the requirements of this section, or for the sole and exclusive purpose of seeking or providing legal advice in order to comply with this section, may not be brought in any Federal or State court.

(2) INTENTIONAL, RECKLESS, OR OTHER MISCONDUCT.—Paragraph (1) shall not apply to a claim against the Board, a provider, a complainant, interested owner, or representative under subsection (f)(4)—

(A) for any conduct unrelated to compliance with the requirements of this section;

(B) if the Board, provider, complainant, interested owner, or representative under subsection (f)(4) (as applicable)—

(i) engaged in intentional misconduct; or

(ii) acted, or failed to act—

(I) with actual malice; or

(II) with reckless disregard to a substantial risk of causing physical injury without legal justification; or

(C) in the case of a claim against a complainant, if the complainant falsely claims to be a victim, an authorized representative of a victim, or a qualified organization.

(3) MINIMIZING ACCESS.—The Board, a provider, a complainant, an interested owner, or a representative under subsection (f)(4) shall—

(A) minimize the number of individuals that are provided access to any alleged, contested, or actual proscribed visual depictions relating to a child under this section;

(B) ensure that any alleged, contested, or actual proscribed visual depictions relating to a child are transmitted and stored in a secure manner and are not distributed to or accessed by any individual other than as needed to implement this section; and

(C) ensure that all copies of any proscribed visual depictions relating to a child are permanently deleted upon a request from the Board, Commission, or the Federal Bureau of Investigation.

(l) PROVIDER IMMUNITY FROM CLAIMS BASED ON REMOVAL OF VISUAL DEPICTION.—A provider shall not be liable to any person for any claim based on the provider's good faith removal of any alleged proscribed visual depiction relating to a child pursuant to a notification under this section, regardless of whether the visual depiction is found to be a proscribed visual depiction relating to a child by the Board.

(m) CONTINUED APPLICABILITY OF FEDERAL, STATE, AND TRIBAL LAW.—

(1) IN GENERAL.—This Act shall not be construed to impair, supersede, or limit a provision of Federal, State, or Tribal law.

(2) NO PREEMPTION.—Nothing in this Act shall prohibit a State or Tribal government from adopting and enforcing a provision of law governing child sex abuse material that is at least as protective of the rights of a victim as this section.

(n) DISCOVERY.—Nothing in this Act affects discovery, a subpoena or any other court order, or any other judicial process otherwise in accordance with Federal or State law.

(o) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to relieve a provider from any obligation imposed on the provider under section 2258A of title 18, United States Code.

(p) FUNDING.—There are authorized to be appropriated such sums as may be necessary to pay the costs incurred by the Commission under this section, including the costs of establishing and maintaining the Board and its facilities.

(q) SUNSET.—Except for subsections (a), (h), (k), (l), (m), (n), (o), and (r), this section shall expire 5 years after the date on which the Child Online Protection Board issues its first determination under this section.

(r) DEFINITIONS.—In this section:

(1) BOARD.—The term ''Board'' means the Child Online Protection Board established under subsection (e).

(2) CHILD SEXUAL ABUSE MATERIAL.—The term ''child sexual abuse material'' has the meaning provided in section 2256(8) of title 18, United States Code.

(3) COMMISSION.—The term ''Commission'' means the Federal Trade Commission.

(4) COMPLAINANT.—The term ''complainant'' means—

(A) the victim appearing in the proscribed visual depiction relating to a child;

(B) an authorized representative of the victim appearing in the proscribed visual depiction relating to a child; or

(C) a qualified organization.

(5) DESIGNATED REPORTING SYSTEM.—The term ''designated reporting system'' means a digital means of submitting a notification to a provider under this subsection that is publicly and prominently available, easily accessible, and easy to use.

(6) HOST.—The term ''host'' means to store or make a visual depiction available or accessible to the public or any users through digital means or on a system or network controlled or operated by or for a provider.

(7) IDENTIFIABLE PERSON.—The term ''identifiable person'' means a person who is recognizable as an actual person by the person's face, likeness, or other distinguishing characteristic, such as a unique birthmark or other recognizable feature.

(8) INTERESTED OWNER.—The term ''interested owner'' means an individual who has joined a proceeding before the Board under subsection (g)(13).

(9) PARTY.—The term ''party'' means the complainant or provider.

(10) PROSCRIBED VISUAL DEPICTION RELATING TO A CHILD.—The term ''proscribed visual depiction relating to a child'' means child sexual abuse material or a related exploitative visual depiction.

(11) PROVIDER.—The term ''provider'' means a provider of an interactive computer service, as that term is defined in section 230 of the Communications Act of 1934 (47 U.S.C. 230), and for purposes of subsections (k) and (l), includes any director, officer, employee, or agent of such provider.

(12) QUALIFIED ORGANIZATION.—The term ''qualified organization'' means an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 that is exempt from tax under section 501(a) of that Code that works to address child sexual abuse material and to support victims of child sexual abuse material.

(13) RECIDIVIST HOSTING.—The term ''recidivist hosting'' means, with respect to a provider, that the provider removes a proscribed visual depiction relating to a child pursuant to a notification or determination under this subsection, and then subsequently hosts a visual depiction that has the same hash value or other technical identifier as the visual depiction that had been so removed.

(14) RELATED EXPLOITIVE VISUAL DEPICTION.—The term ''related exploitive visual depiction'' means a visual depiction of an identifiable person of any age where the visual depiction does not constitute child sexual abuse material but is published and associated with child sexual abuse material depicting that person.

(15) SMALL PROVIDER.—The term ''small provider'' means a provider that, for the most recent calendar year, averaged less than 10,000,000 active users on a monthly basis in the United States.

(16) VICTIM.—

(A) IN GENERAL.—The term ''victim'' means an individual of any age who is depicted in child sexual abuse material while under 18 years of age.

(B) ASSUMPTION OF RIGHTS.—In the case of a victim who is under 18 years of age, incompetent, incapacitated, or deceased, the legal guardian of the victim or representative of the victim's estate, another family member, or any other person appointed as suitable by a court, may assume the victim's rights to submit a notification or file a petition under this section, but in no event shall an individual who produced or conspired to produce the child sexual abuse material depicting the victim be named as such representative or guardian.

(17) VISUAL DEPICTION.—The term ''visual depiction'' has the meaning provided in section 2256(5) of title 18, United States Code.

SEC. 8. SEVERABILITY.

If any provision of this Act, an amendment made by this Act, or the application of such provision or amendment to any person or circumstance is held to be unconstitutional, the remainder of this Act and the amendments made by this Act, and the application of the provision or amendment to any other person or circumstance, shall not be affected.

By Mr. THUNE (for himself, Mr. BRAUN, Mr. SCOTT of South Carolina, and Mr. TUBERVILLE):

S. 1213. A bill to require the Secretary of Labor to implement the industry-recognized apprenticeship program process, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

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. 1213

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 ''Training America's Workforce Act''.

SEC. 2. INDUSTRY-RECOGNIZED APPRENTICESHIP PROGRAMS.

The Act of August 16, 1937 (commonly known as the ''National Apprenticeship Act''; 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.) is amended—

(1) by redesignating section 4 as section 5; and

(2) by inserting after section 3 the following:

''SEC. 4. INDUSTRY-RECOGNIZED APPRENTICESHIP PROGRAMS.

''(a) DEFINITIONS.—In this section:

''(1) INDUSTRY-RECOGNIZED APPRENTICESHIP PROGRAM.—The term 'industry-recognized apprenticeship program'—

''(A) means a high-quality, competency-based apprenticeship program that is—

''(i) recognized by a standards recognition entity; and

''(ii) developed or delivered by an entity such as a trade or industry group, corporation, nonprofit organization, institution of higher education, labor organization, or labor-management organization (among other entities, as determined appropriate by the Secretary); and

''(B) may include a program that meets the requirements of subparagraph (A) and trains apprentices to perform construction activities.

''(2) SECRETARY.—The term 'Secretary' means the Secretary of Labor.

''(3) STANDARDS RECOGNITION ENTITY.—The term 'standards recognition entity' means a private sector or public sector entity that—

''(A) is recognized by the Secretary (acting through the Administrator of the Office of Apprenticeship of the Department of Labor) for purposes of recognizing apprenticeship programs as industry-recognized apprenticeship programs;

''(B) has a demonstrated ability to ensure an industry-recognized apprenticeship program meets the standards described in subsection (d); and

''(C) has the capacity to perform the oversight necessary to ensure the ongoing compliance of an industry-recognized apprenticeship program with such standards.

''(b) RECOGNITION OF INDUSTRY-RECOGNIZED APPRENTICESHIP PROGRAMS.—

''(1) IN GENERAL.—By not later than 1 year after the date of enactment of the Training America's Workforce Act, the Secretary,

after consultation with private sector industry associations, institutions of higher education, State, local, and Tribal governmental agencies, and other stakeholders the Secretary determines appropriate, shall establish a process to recognize entities as standards recognition entities for purposes of recognizing industry-recognized apprenticeship programs under this Act.

''(2) LIMITED DISCRETION.—The Secretary shall not deny recognition as a standards recognition entity to a private sector or public sector entity that meets the requirements of subparagraphs (B) and (C) of subsection (a)(3) and satisfactorily completes the process established under paragraph (1).

''(3) ADMINISTRATIVE FLEXIBILITY.—The Secretary shall ensure that the recognition process for standards recognition entities established under paragraph (1) is a flexible process with low administrative and reporting burdens for the standards recognition entities and industry-recognized apprenticeship programs.

''(c) REQUIREMENTS.—The recognition process of standards recognition entities and the activities and procedures carried out by the standards recognition entities shall, to the maximum extent practicable and except as otherwise explicitly provided in this section, be consistent with the requirements, activities, and procedures under subpart B of part 29 of title 29, Code of Federal Regulations, as such subpart was in effect on May 11, 2020.

''(d) STANDARDS.—Each standards recognition entity shall establish standards for the industry-recognized apprenticeship programs recognized by the entity that, at a minimum, ensure that each industry-recognized apprenticeship program—

''(1) includes—

''(A) paid work;

''(B) on-the-job learning;

''(C) a mentorship component;

''(D) education and classroom instruction;

''(E) a written training plan and apprenticeship agreement; and

''(F) safety and supervision components; and

''(2) provides, during participation in or upon completion of the apprenticeship, an industry-recognized credential.

''(e) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as affecting apprenticeship programs registered under this Act and recognized by the Secretary.''.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 164—HONORING THE HERITAGE FOUNDATION ON THE OCCASION OF ITS 50TH ANNIVERSARY

Mr. LEE submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 164

Whereas, in 1972, the Heritage Foundation was conceived by Dr. Edwin J. Feulner and Paul Weyrich to deliver timely and persuasive research to Congress with facts, data, and sound arguments on behalf of conservative principles;

Whereas on February 16, 1973, the Heritage Foundation opened its doors with the support of the Coors, Noble, and Scaife families and grew to become the most influential and most broadly supported conservative think tank in the United States;

Whereas the Heritage Foundation has played a critical role in many great legislative successes in the United States over the past 5 decades;

Whereas the Heritage Foundation published the 1,093-page ''Mandate for Leadership'' in 1981, which served as a ''policy bible'' for President Ronald Reagan, including the 1981 tax cuts that ignited the biggest economic boom in United States history;

Whereas, in 1982, the Heritage Foundation published the first comprehensive study outlining a missile defense system to defend the United States from nuclear missile attack, and 6 months later, President Ronald Reagan made his historic speech calling for a strategic defense initiative to protect the United States;

Whereas, in 1988, the Heritage Foundation authored its first candidate briefing book, which has become an essential tool to help frame policy debates;

Whereas, in 1995, the Heritage Foundation hosted its first ''New Member Conference'' to educate freshmen members of Congress, a program that takes place every 2 years before the new Congress takes office;

Whereas research by the Heritage Foundation formed the basis of welfare reform in the 1990s that would result in more than 5,000,000 people in the United States leaving welfare and finding work, and reducing African American child poverty to historic lows;

Whereas the Heritage Foundation created the Meese Center for Legal and Judicial Studies, headed by former Attorney General Ed Meese, to create greater appreciation for the role of the Constitution of the United States, and, in 2005, published ''The Heritage Guide to the Constitution'', which was the first examination of each and every line of the Constitution of the United States since the definitive study of Joseph Story in the mid-19th century;

Whereas the Heritage Foundation has promoted an originalist judicial philosophy, and trained and supported lawyers and judges with an originalist approach to the Constitution of the United States;

Whereas the Heritage Foundation established the Kathryn and Shelby Cullom Davis Institute for National Security and Foreign Policy to provide expert research and analysis of issues dealing with foreign policy, international relations, global economics, and national security;

Whereas the Heritage Foundation has published such influential indexes as—

(1) the Index of United States Military Strength;

(2) the Index of Economic Freedom;

(3) the Election Integrity Scorecard; and

(4) the Education Freedom Report Card;

Whereas the Heritage Foundation has consistently fought to defend the dignity of every human life, for marriage, the family (the foundation of society), and religious liberty;

Whereas the Heritage Foundation works tirelessly to grow and serve the conservative movement through programs like the Young Leaders Program and the Resource Bank, created in 1977 to forge a national network of conservative policy groups and experts and, most recently, the Innovation Prize;

Whereas the Heritage Foundation supports conservative organizations across the country and works to set the agenda and advance conservative policies through its 2025 Presidential Transition Project;

Whereas the Heritage Foundation launched its own news site, the Daily Signal, and has constantly expanded its reach on social media to convey conservative views to the widest possible audience;

Whereas the Heritage Foundation launched its sister organization, Heritage Action for America, to turn the conservative policy proposals of the Heritage Foundation into reality on Capitol Hill and build a grassroots community of over 20,000 sentinels and 2,000,000 activists that hold elected representatives accountable to the founding principles of the United States;

Whereas the Board of Trustees of the Heritage Foundation has provided sound guidance since the establishment of the Heritage Foundation and strengthened strategic planning within the organization;

Whereas Barb Van Andel-Gaby, the chairman of the Board, has continued the legacy of service in her family with grace and distinction and has been a trusted advisor to the leadership of the Heritage Foundation; and

Whereas for 50 years, the Heritage Foundation has worked tirelessly to build a United States where freedom, opportunity, prosperity, and civil society flourish, knowing the people of the United States are best served by a government that understands, honors, and respects virtuous self-governance: Now, therefore, be it

Resolved, That the Senate—

(1) honors the Heritage Foundation on the occasion of its 50th anniversary; and

(2) expresses profound gratitude for the unfailing service of the Heritage Foundation to the United States.

AUTHORITY FOR COMMITTEES TO MEET

Mr. CARPER. Madam President, I have nine requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority Leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

The Committee on Agriculture, Nutrition, and Forestry is authorized to meet during the session of the Senate on Wednesday, April 19, 2023, at 12 p.m., to conduct a subcommittee hearing.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works is authorized to meet during the session of the Senate on Wednesday, April 19, 2023, at 10 a.m., to conduct a hearing.

COMMITTEE ON FINANCE

The Committee on Finance is authorized to meet during the session of the Senate on Wednesday, April 19, 2023, at 10 a.m., to conduct a hearing.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Wednesday, April 19, 2023, at 10 a.m., to conduct a hearing.

COMMITTEE ON VETERANS' AFFAIRS

The Committee on Veterans' Affairs is authorized to meet during the session of the Senate on Wednesday, April 19, 2023, at 3:45 p.m., to conduct a hearing.

SUBCOMMITTEE ON CYBERSECURITY

The Subcommittee on Cybersecurity of the Committee on Armed Services is authorized to meet during the session of the Senate on Wednesday, April 19, 2023, at 9:30 a.m., to conduct a hearing,

SUBCOMMITTEE ON INTELLECTUAL PROPERTY

The Subcommittee on Intellectual Property of the Committee on the Judiciary is authorized to meet during

the session of the Senate on Wednesday, April 19, 2023, at 10 a.m., to conduct a hearing.

SUBCOMMITTEE ON READINESS AND MANAGEMENT SUPPORT

The Subcommittee on Readiness and Management Support of the Committee on Armed Services is authorized to meet during the session of the Senate on Wednesday, April 19, 2023, at 1:30 p.m., to conduct a hearing.

SUBCOMMITTEE ON STRATEGIC FORCES

The Subcommittee on Strategic Forces of the Committee on Armed Services is authorized to meet in closed session during the session of the Senate on Wednesday, April 19, 2023, at 9:30 a.m., to conduct a briefing.

ORDERS FOR THURSDAY, APRIL 20, 2023

Mr. COONS. Madam President, I ask unanimous consent that when the Senate completes its business today, which I think is now, that it stand adjourned until 10 a.m. on Thursday, April 20; 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; and that following the conclusion of morning business, the Senate resume consideration of Calendar No. 28, S. 870.

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

Mr. COONS. For the information of the Senate, there will be two rollcall votes at 11:15 a.m. and one vote at 1:45 p.m.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

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

There being no objection, the Senate, at 7:34 p.m., adjourned until Thursday, April 20, 2023, at 10 a.m.